Annual Report
2006

Ombudsman

B.C.'s Independent Voice For Fairness

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Ombudsman
B.C.'s Independent Voice For Fairness

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The Honourable Bill Barisoff
Speaker of the Legislative Assembly
Parliament Buildings, Room 207
Victoria BC V8V 1X4

Dear Mr. Speaker:

It is my pleasure to present the Office of the Ombudsman's 2006 Annual Report to the Legislative Assembly.

This report covers the period January 1 to December 31, 2006 and has been prepared in accordance with section 31 (1) of the *Ombudsman Act*.

Yours sincerely,

Kim S. Carter
Ombudsman
Province of British Columbia

December 2007

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During my first seven and half months as the Provincial Ombudsman, from May until December 2006, one of the important lessons I learned is that the life blood of this office is the thousands of individual inquiries answered, individual investigations completed, and individual resolutions achieved each year. Conducted quietly and courteously, they are not only important to the British Columbians who call or write to us with concerns and difficulties, but are equally important to government and public authorities in our Province working to fulfill their commitment to good administration and accountability.

Every person in British Columbia, almost everyday, feels the impact of an administrative decision or action by a public authority. A licence denied; a rezoning application granted; a medical device not provided; a program changed; an application for a benefit denied; these are administrative decisions or actions by public authorities that have come to our office for evaluation and resolution after all the available internal dispute resolution mechanisms within an organization have been exhausted.

While many people may hear about the handful of significant issues that the Ombudsman decides to make public, all these individual matters, dealt with confidentially and without fanfare, also make British Columbia a fairer, and better, place to live. Each inquiry provides the opportunity to give people useful, practical, assistance. Every investigation provides the potential of identifying a way to improve an administrative process. A single resolution can change how a public authority deals with its clients.

Perhaps not surprisingly, this lesson led me to look at how our office communicates with British Columbians. It is a single person who has the motivation and energy to continue to question, to come to this "office of last resort", who is the key to our effectiveness. Although today individuals sometimes feel they have limited ability to influence government procedures or redress wrongs, the Office of the Ombudsman in British Columbia still offers a way for one person to do that. However, it is only if people know the office is here and what we can do that they will approach us with their problem.

In March 2006, our office conducted a survey which included questions about how individual British Columbians heard about our office and what they knew about the work we did.

The results were surprising, particularly given the 28 year history of this office. While more than two-thirds of the people surveyed had heard about the Office of the Ombudsman, less than one third knew that there was an independent office in the province that could investigate complaints about public agencies. These results led to a renewed emphasis in our office on outreach and communication. Until most British Columbians know what we do and when they can come to us this office will not be able to function at its full potential.

THE ROLE OF THE OMBUDSMAN

The full potential of the office is enormous and not only because there may be an "untapped market" of up to two thirds of the people in the Province who are not yet accessing our services because they do not understand the role of the office. In many ways complaints act as the famous 'canary in the coal mine'. They are often indicators of problems that need to be addressed now, before an issue becomes a crisis. I know, from speaking with public authorities, that they take complaints that are investigated by this office very seriously. Many use such complaints, even those resolved to everyone's satisfaction, as an indicator of areas where there may be challenges. In essence they use the issues raised by this office as indicators of how they can improve processes or service delivery.

There are a number of reasons for this. This office does not investigate every complaint that is made to it. Our complaints analysts and investigators conduct a preliminary evaluation of the complaint, not only to ensure the most obvious criteria are met, such as jurisdiction over the public authority and the complaint being about a 'matter of administration', but also to ensure for example that our office does not become involved prematurely, before available and appropriate internal dispute resolution processes have been used to try and resolve the issue in a satisfactory manner. Also, the Office of the Ombudsman does not act as an advocate for the individual who has complained. The "client" we advocate for is administrative fairness. Each case of administrative unfairness is an example of poor, inefficient administration of public services and reduces the good, efficient administration desired by all British Columbians.

The strength of our office comes from our staff, who are dedicated to finding resolutions for situations where individuals have not been treated fairly – not simply for that individual, but for others who may face similar difficulties and also, ultimately, for the organization about which the complaint has been made. It is the professionalism and commitment Ombudsman staff demonstrate each day that allows us to work effectively towards that goal.

In most cases an administratively fair resolution can be achieved through consultation. Administrative decisions, actions and procedures within the Ombudsman's purview are those that are contrary to law; unjust; oppressive; improperly discriminatory; done pursuant to a statutory provision or other rule of law or practice that is unjust, oppressive or improperly discriminatory; based on a mistake of law or fact or an irrelevant ground or consideration; the result of an arbitrary, unreasonable or unfair procedure; done for an improper purpose; result in inadequate and inappropriate reasons; are negligent; unduly delayed; or otherwise wrong.

I often describe the power of the Ombudsman as that of "sound and light". Unlike the legislature or the courts the Ombudsman cannot order action be taken or decisions changed. Rather, the Ombudsman has the power to fully investigate any matter (to shine a light into any corner) and to issue a public report about any investigation when she considers that would be in the public interest (make a sound). Thorough investigation, logical analysis, and practical recommendations, combined with a commitment to transparency and accountability are powerful tools for positive change.

In many cases those changes begin with that one person who comes forward to point out what they believe is an injustice, a flaw in the system that has harmed them in some way. In other cases the Ombudsman can initiate her own investigation, based on information received from different sources, which indicates a matter of administration falling within the Ombudsman's jurisdiction may be causing harm to people in British Columbia.

Even when we do not investigate and resolve a matter, our office can still play a useful role in satisfying British Columbians that there is an organization to which they have access where their concerns will be listened to and considered. A person who had come to us with a complaint that we investigated and found not to be substantiated, took the time more than 18 months later to write to us to tell us that he found his dealings with our office to be a positive experience. He explained that he felt that he had been treated with respect. "All I ever wanted was for someone to really listen to me. You did that."

2006 IN REVIEW

2006 was another year of change for the Office of the Ombudsman with the arrival of a new Ombudsman in May 2006 for a six-year term. At the same time the office made headway in restoring full services to the public in April 2006 when two additional investigator positions were filled on a temporary basis to allow the Office of the Ombudsman to address complaints about local governments and self-regulated professions that had been sent to a "holding queue" before this.

This positive trend was continued when in December 2006 the Select Standing Committee on Finance and Government Services recommended these two investigator positions be funded permanently commencing in April 2007. In addition they recommended funding for two more investigator positions that would give the Office of the Ombudsman some of the resources it needed to conduct useful and timely systemic investigations.

Perhaps not surprisingly given the well-publicized restrictions in our services that existed from 2003-2006, the statistical analysis shows that the overall number of inquiries and complaints dealt with by the Office of the Ombudsman continued to decline in 2006. However, proportionally more complaints received were opened for investigation. The majority of inquiries and complaints the office received related to actions, decisions and procedures of Provincial Government ministries, Provincial Government boards, commissions and corporations.

While the Lower Mainland continued to be the largest source of inquiries, complaints and investigations (43 per cent of files opened), it remains a continuing concern as that number is significantly less than the percentage of British Columbia's population (58 per cent) living in that area of the Province. Under representation from a geographic area is a particular concern because our 2006 survey found that the greatest number of people who hear about our office do so through word of mouth, essentially from an adviser, friend, colleague or family member. Thirty per cent of people heard about the Ombudsman's Office through word of mouth; 27 per cent through newspapers and 26 per cent through television. If members of a community are less aware of this office and what it does then a very valuable referral mechanism has been lost.

In the two other regions, Vancouver Island and the rest of British Columbia (the Interior and the North), people are more aware of our office and we receive a higher percentage of inquiries and complaints than the percentage of population living in those areas (54 per cent of files opened and 42 percent of the population).

STATISTICAL SURVEY

A recurring feature of annual Ombudsman Reports is our detailed statistical reporting. In earlier years there were fewer mechanisms for collecting and analyzing information about the number of inquiries and complaints received; investigations conducted and files closed. However, since 2001 we have used a standard methodology and a sophisticated, computerized, case tracker system to produce useful comparative data.

In 2006, the Office of the Ombudsman dealt with 6,438 intakes, which included 4,816 complaints and 1,622 requests for information. Approximately 80 per cent of requests and complaints received by the office came by phone, with the remainder by mail, through the Internet form on our website, or in person, when people attended our office in Victoria or our mobile intake clinics in the Lower Mainland or those held during Ombudsman tours.

The percentage of non-jurisdictional requests for information and complaints remained approximately the same as last year (8 per cent). The vast majority of inquiries and complaints (92 per cent) related to matters within the Ombudsman's jurisdiction.

In 2006, 4,317 files were closed by Complaints Analysts, 946 by Ombudsman Officers after a preliminary assessment and 1,197 by Ombudsman Officers after an investigation. This reflected another increase in the total number of files dealt with by Ombudsman Officers to 2,143. This is an increase of approximately 30 per cent since 2004-2005.

The authorities the Ombudsman's Office dealt with most frequently in 2006 were the Ministry of Employment and Income Assistance; the Ministry of Children and Family Development; the Ministry of Public Safety and the Solicitor General; the Ministry of Health; the Ministry of Attorney General; the Workers' Compensation Board; the Workers' Compensation Appeal Tribunal; BC Housing; ICBC; and BC Hydro and Power Authority. These ten authorities accounted for approximately 64 per cent of the files closed by the office in 2006.

Section 13 of the *Ombudsman Act* provides a number of reasons why a matter may not be investigated or why it may be discontinued. In 2006, the most common reasons for doing this were when there was an adequate administrative process open to the complainant that had not yet been used; further investigation was not required to consider the complaint; or the complaint was withdrawn by the complainant. No matters were closed in 2006 without investigation on the basis that the complaints were found to be frivolous or vexatious, though four were closed after investigation on that basis.

Approximately 55 per cent of the issues investigated led to a settlement as provided for in Section 14 of the *Ombudsman Act*, while approximately 45 per cent were not substantiated.

JURISDICTION

There were no changes to the list of public authorities which fell within the Ombudsman's jurisdiction in 2006. The jurisdiction of the Ombudsman's Office in British Columbia is one of the widest jurisdictions in Canada, including not only provincial ministries, but also provincial commissions, boards and corporations; health authorities and hospitals; schools and school districts; colleges and universities; regional and municipal governments; libraries; and self-regulating professions such as dentists. There are approximately 2,800 public authorities that fall within the jurisdiction of the Ombudsman's Office.

Our office still receives inquiries about the actions of various authorities over which we have no jurisdiction such as banks (which are within federal jurisdiction); BC Ferry Corporation (which became a private entity in 2003); municipal police and the Royal Canadian Mounted Police (who fall within the jurisdiction of the Office of the Police Complaint Commissioner or the RCMP Public Complaints Commissioner); and home and property insurance (which is a private matter that does not involve a public authority). When we receive complaints about these non-jurisdictional organizations we always try to refer the callers to any other source of assistance that exists.

MOBILE INTAKE

In order to enhance accessibility for complainants, mobile intake clinics were operated in the Lower Mainland and parts of Vancouver Island in 2006. These clinics allowed individuals to meet in person with a complaint analyst from the Ombudsman's Office to make their complaint. Six mobile intake clinics were held in both Surrey and Coquitlam; five in Vancouver, North/West Vancouver, and Richmond; four in Burnaby; three in Abbotsford, Nanaimo and Ganges; and two in Duncan. In addition mobile intake clinics were also held in Golden, Revelstoke, Salmon Arm, Kamloops and Merritt during the Ombudsman Tour in September 2006.

SPECIAL REPORTS

Three special reports were released by the Ombudsman's Office in 2006.

Special Report No. 27 — The Power of an Apology: Removing the Legal Barriers

On February 8, 2006, the Ombudsman's Office released a report titled *The Power of an Apology: Removing the Legal Barriers*. This report was an analysis based on the experiences of this office as well as other Ombudsman offices around the world. It focused on the importance of a sincere and timely apology from a public agency to an individual who has been treated unfairly and the power such an action has to assist in bringing a satisfactory resolution to a complaint of unfair treatment and to rebuild a relationship. It explored how governments could be hesitant to make full and formal apologies because of the potential this could be treated as an acknowledgement of liability.

The report encouraged change in provincial legislation to ensure there were no barriers that prevented public officials from saying, "I am sorry for what happened to you", when appropriate.

In May 2006, the British Columbia Legislative Assembly passed *The Apology Act* SBC 2006 c.19, which came into force in British Columbia on May 18, 2006. British Columbia was the first jurisdiction in Canada to pass this type of legislation.

Special Report No. 28 — Ombudsman Investigation of the Public Interest Advocacy Centre's Complaints about the Ministry of Employment and Income Assistance.

On March 28, 2006, this office released a report titled *Ombudsman Investigation of the Public Interest Advocacy Centre's Complaints about the Ministry of Employment and Income Assistance (MEIA).*

This was an Ombudsman-initiated investigation that commenced in March 2005 and was based upon a series of complaints from individuals brought to our office by the BC Public Interest Advocacy Centre (PIAC). They were about how the Ministry of Employment and Income Assistance administered certain aspects of its income assistance programs.

This report dealt with five broad areas of concern:

- How the Ministry dealt with appeals, reconsiderations and administrative reviews of decisions to refuse, reduce or discontinue income assistance;
- How the Ministry dealt with exemptions to its requirement to conduct a three week work search and determining when an individual had 'emergency needs';
- When Ministry staff could enter a person's home to verify information;
- How the Ministry evaluated whether a person faced Persistent Multiple Barriers to Employment; and
- Why the Ministry required people to submit multiple copies of the same documentation or resubmit documentation for medical conditions that had been identified as chronic or continuing.

The report concluded there were satisfactory outcomes in the first three areas of concern based upon changes made by the Ministry to its practices and procedures and the Ministry's commitment to take further action on these issues. The Ombudsman Office's investigation into the first two areas continued and the report indicated that the Ombudsman's Office would monitor the Ministry's practices to ensure the commitments were met.

Special Report No. 29 — Strategic Plan 2006 – 2010.

In December 2006, the Ombudsman's Office delivered its third strategic plan. It highlighted the office's unique and independent role in upholding democratic principles by ensuring fair treatment and public accountability in British Columbia. It also outlined the focus of the office over the five years on outreach and communication; increased accessibility; consultation and cooperation with other stakeholders to improve administrative fairness; and useful, public reporting.

PROVINCIAL OUTREACH

As part of the Office of the Ombudsman outreach program, the Ombudsman and two staff members visited the Interior in September 2006, traveling from Golden to Merritt, with stops in Revelstoke, Salmon Arm, Kamloops and including a visit with the Chief, Council , Elders and members of the Upper Nicola Band. The purpose of these 'Ombudsman Tours' is to listen to the concerns of people in various parts of the province, as well as talk to them about how the work of the Ombudsman's Office may impact them. In addition to holding mobile intake clinics, the Ombudsman met with various authorities including regional offices of provincial ministries; municipalities; school boards and colleges. Meetings were also held with MLAs, their constituency staff and community advocacy organizations.

BRITISH COLUMBIA'S INDEPENDENT VOICE FOR FAIRNESS

The first Ombudsman was appointed in Sweden in 1809 by the king as a way to ensure that his citizens were treated fairly by government employees and that any problems could be brought to light. An Ombudsman, from "umbodhsmadr", was the "king's representative", accessible to all citizens. Almost 200 years later this idea has spread to over 100 countries around the world. It still describes a unique, independent and impartial institution that helps people receive fair and equitable treatment from government and ensures transparency and accountability in public administration.

In British Columbia this office exists for all people who feel they have not been treated fairly by public authorities regardless of who they are and where they live. Ultimately the Office of the Ombudsman promotes fairness and accountability in public administration in British Columbia because that makes this a better place for everybody to live, work, and raise a family. The purpose of the office remains the same as it did when it was established by government:

> "...with the establishment of an ombudsman in British Columbia we will have a person who can represent the conscience of the state and provide additional service for our citizens, move aside the bureaucratic roadblocks, wade through the red tape, approach the unapproachable and recommend improvements to administrative practice and administrative procedure.
>
> Government and regulation, order and edict, law and bylaw, and the rules and the roadmaps that are constantly being imposed upon society today, obviously illustrate the need for a citizen champion independent of the civil service, independent of the system, independent of the administrator and independent of politics, to wade through administrative hurdles, to cope with crises and to recommend betterment, as well as to defend against unjustified and uncalled-for criticism – or in short, to render every man his due, I'd say, both for those within the organizational structure and for those who are dealing with it."

[The Honourable Garde Gardom, Hansard, p. 4603, August 15, 1977, Bill 63 Second Reading]

This selection of investigations from 2006 is intended to illustrate the scope of issues and organizations we are called on to investigate throughout the year. They were chosen because they are examples of why a person may need to contact us; an issue many people can relate to; or something that could potentially happen to anyone.

Who typically comes to us for assistance? Anyone who feels they were not treated fairly by a public authority, whether that is a provincial ministry or agency, local government, school district or health authority. Simply put, at the heart of what we do are people who have something bothering them. They do not contact us because they are having a good day or because they wish to tell us how good a particular person has been to them. They contact us because they are unhappy with how they have been treated.

Many of the people we hear from are hurt, angry or frustrated. They contact us because they want to complain, and they need to get something off their chest. Sometimes this involves a long, complicated story that just has to be told.

While we cannot always give people the answers they are hoping for, we can and do provide the opportunity for each person to explain his or her situation. A person can take the time to explain why he or she is upset, and we will make the extra effort to truly hear what that person has to say. This provides something that is vitally important - an opportunity to be heard and to be treated with dignity and respect.

The problems we investigate can seem big or small. Some people are intimidated by apparently impersonal administrative processes. Some are faced with not knowing where to start in finding answers to their questions, while others may not even know the appropriate questions to ask. For these people, challenging a government decision about assistance or access to government services can be a daunting task. Often they cannot afford lawyers or other professionals to help them resolve their problem with public authorities.

These then are the people who contact the Ombudsman's Office when they have exhausted other options such as their family, their friends, neighbors and colleagues. This office is truly their last resort.

Delay in subsidy leads to special needs child being removed from daycare

Ministry of Employment and Income Assistance

A mother of a special needs child contacted us to complain that her daycare subsidy had taken so long to issue that her son had to be removed from his daycare while she waited for the subsidy to be processed.

She explained to us that her daycare subsidy had expired at the end of August 2005, at which time she applied for a new subsidy to the Ministry of Employment and Income Assistance.

Unfortunately, subsidy approval was delayed, so by November, with no funds in place to pay the daycare for its services, she was forced to remove her son from care while waiting for the subsidy to be processed.

In investigating this matter, we learned that the Ministry had not processed her application as quickly as it might have because it had been waiting for some information from another government ministry – information that we were told had been misplaced by the other ministry.

Finally, after assisting in sorting through the confusion between the two ministries, the subsidy was approved in January 2006 and made retroactive to the previous September. Additionally, the ministry responsible for misplacing the required information contacted the mother to apologize for the delay in processing her application for daycare support.

Mother's concerns about son in foster home go unanswered

Ministry of Children and Family Development

A woman, whose son had been told to leave his foster home, contacted us to complain that her concerns about her son were being ignored by government.

She explained to us that her son had been ordered to leave his foster home and that he had no place to go. She was also concerned that the Ministry of Children and Family Development was considering a placement for her son that she felt would undermine his recovery efforts from drug addiction.

She told us the Ministry was not returning her phone calls in this matter, which she considered urgent.

We notified the Ministry of the mother's concerns and recommended they speak with her. The Ministry then contacted her to discuss her son's situation and assure her that a plan was being developed to meet his needs.

Woman distressed by high property assessment
BC Assessment Authority

We were contacted by a woman who felt the BC Assessment Authority had provided her with incorrect information by telling her that her taxes would not necessarily increase despite her home's higher assessment.

Ms. D told us that she contacted BC Assessment after she received a notice that her property had increased in value from $46,000 to $105,000. According to Ms. D, BC Assessment staff informed her that an increase in property value does not always mean a tax increase.

She subsequently received a tax notice indicating that her taxes had increased significantly. By this time the time frame for filing an appeal of her property assessment had passed.

After discussing her options with our office she spoke with BC Assessment and they agreed to review her property assessment and give her the opportunity to provide evidence regarding what she felt was a high assessment.

Following this review BC Assessment agreed to reduce the assessment of her property, which in turn resulted in her having to pay less property tax.

Woman appeals for housing transfer when ex-husband released from jail
BC Housing

We were contacted by a woman who said she was still waiting to be moved from her home after making a request to BC Housing for a transfer two years ago because her ex-husband knew where she lived and she feared for her safety.

She believed that a two year wait for emergency housing was unreasonable.

We contacted BC Housing to raise a concern and were advised that as the ex-husband had been in jail until recently the request for a transfer had not been treated as an emergency.

BC Housing agreed that the ex-husband's recent release from prison made the matter urgent and offered the woman a new placement.

Hydro billing based on estimates rather than actual use
BC Hydro

Mr. N contacted us to complain that the estimated hydro reading at the time he moved into his home was inaccurate and should not be used.

During our investigation we learned that BC Hydro's standard procedure is to produce an initial "move-in" bill based on an estimate rather than an actual meter reading.

If a customer takes issue with this figure, a second estimate is generated. The two estimates are then used to establish an average daily consumption rate – which is then applied retroactively back to the date the customer moves into their home.

In this case though, after our discussion BC Hydro agreed that using the first actual meter reading available as the move-in reading would be a fair resolution to this complaint and it did that.

Appeal to have power restored

BC Hydro

In situations where people are unable to communicate with us directly, due to disabilities or other reasons, they have the option of asking a friend, a family member or an advocate to act as an agent on their behalf. In this case we were contacted by an agent for Mr. J with a complaint that BC Hydro had wrongfully disconnected Mr. J's power supply due to unpaid bills.

The agent told us that due to medical problems and lack of a telephone, Mr. J was unable to contact BC Hydro. The agent contacted BC Hydro to discuss the situation but was told that they were unable to discuss the matter without Mr. J's consent.

We learned that Mr. J was receiving assistance from the Ministry of Employment and Income Assistance (MEIA). After discussion about how to get Mr. J's hydro restored, MEIA spoke to BC Hydro and the two authorities worked together to set up a debt repayment plan and a payment plan for future hydro charges.

BC Hydro asked to pay for electrical damage

BC Hydro

A woman complained that the decision of the BC Hydro and Power Authority (BC Hydro) to refuse to compensate her for damage to her appliances was unjust. She came to our office because she believed that BC Hydro should be responsible for the damage incurred to her household appliances when the power line to her house severed in November 2005. BC Hydro claimed that the damage to her power line resulted from wet heavy snow on the line. Since the November 2005 breakage in her line occurred at the same point as an earlier incident of December 2004, she maintained that BC Hydro was negligent in its splicing of her line in December 2004. She also objected to BC Hydro's decision to splice her power line a second time and maintained that BC Hydro should agree to pay for the removal of the spliced power line and replace it with a new connection to her home.

Our investigation indicated that BC Hydro had followed the relevant policies and procedures for considering such claims and had made a fair decision based on a proper understanding of the circumstances of her claim. We noted that BC Hydro does not accept liability for damage resulting from acts of nature such as heavy snow on power lines. BC Hydro would accept responsibility for the cost of damage incurred and replace a power line if it can be demonstrated that BC Hydro has been negligent.

While our investigation did not indicate that BC Hydro had been negligent in this matter, it did appear to us that there remained some uncertainty regarding why this woman's power supply failed at the same point twice. For that reason, we asked BC Hydro to review this woman's claim further and consider replacing the power line to her home as a way of preventing future problems with that line. After reviewing this matter, BC Hydro agreed to absorb the cost of replacing the existing spliced line with a new power line. BC Hydro also committed to trim a tree on her property that could cause damage to the new line. As we were satisfied with the measures adopted by BC Hydro to resolve this matter, we closed our file under section 13(j) of the *Ombudsman Act*.

Debt to ICBC must be repaid before man gets licence back

Insurance Corporation of British Columbia

Occasionally we resolve complaints not by obtaining exactly the remedy a person wants but by providing them with information, on options they need to resolve their problem.

In this case we were contacted by a man who told us the Insurance Corporation of British Columbia (ICBC) would not renew his driver's licence until he repaid a driving-related debt of $360. Mr. K told us he had made a proposal to ICBC to repay the debt at a rate of $20 a month, but that his proposal had been rejected.

He told us he needed his driver's licence so he could find work in the service industry and that he could not pay his debt while he did not have a job. He felt ICBC was being unreasonable and uncooperative in dealing with his situation.

ICBC confirmed for us that it would not agree to the proposed $20 monthly payment plan suggested by Mr. K because the debt had been outstanding since 1996. He had a poor history of repayment with ICBC and he had only made a payment after the refusal to renew his licence.

They had also explained Mr. K could appeal this decision to the Office of the Superintendent of Motor Vehicles.

We felt ICBC was acting reasonably in this situation. Happily, Mr. K was able to pay off his debt in full to ICBC, and he was able to renew his driver's licence.

Internal ICBC processes engaged to resolve complaint

Insurance Corporation of British Columbia

A person complained that when he made a claim for the theft of his truck, the Insurance Corporation of British Columbia ("ICBC") said that his insurance was invalid due to an alleged breach of his contract of insurance based upon information provided about how long he had been driving. It then imposed a penalty of $2,400. Mr. R explained that when he renewed his insurance a few months prior to the theft, the Autoplan agent asked if he had been driving for 10 years. He replied that he did not know. After looking into that matter, the agent said he had been driving for 10 years and was eligible, therefore, for a 10 per cent discount. Mr. R said he relied on the agent's assurance about the 10 years and signed the policy documents. He believed, therefore, that it was unfair of ICBC to make him pay the penalty when he had relied on the agent's information about the length of time that he had been driving.

After we gave notice of this complaint to ICBC, the Fair Practices Review Department referred the matter to ICBC's Claims Coverage Committee. Subsequently, the committee waived the alleged breach and refunded the penalty-fee. This resolved the complaint and we closed our file. This internal resolution involved 15 communications by the Ombudsman's office with ICBC over a six-month period to achieve the outcome.

Federal legislation has impact on ICBC claim settlement

Insurance Corporation of British Columbia

Ms. G contacted us with a complaint that the Insurance Corporation of British Columbia (ICBC) had treated her unjustly by offering her a settlement which she believed did not fully compensate her for her losses. At issue was whether the settlement should take into consideration the recipient's requirement to declare the amount in her income tax return.

Ms. G explained to us that she had made a claim to ICBC for lost income relating to an accident involving a logging truck she owned. Ms. G and ICBC could not come to an agreement on a settlement so an independent accountant was brought in to make a recommendation.

Based on the recommendation of the accountant, ICBC made a settlement offer to Ms. G. The Insurance (Motor Vehicle) Act provides that a person is entitled to recover damages for "net income loss". This appears to be based on ICBC's understanding that, under federal legislation, income tax is not payable on insurance payments and on the rationale that insurance settlements are intended to compensate people for what they have lost, but not benefit them beyond what they normally would have received if the accident had not occurred. Therefore, in accordance with the legislation, the gross amount of the compensation calculated for Ms. G's loss of income was reduced by an amount representing the income tax that would have been payable and ICBC offered Ms. G a settlement for her "net income loss".

However, Ms. G had been told by a local Canada Revenue Agency (CRA) official that insurance proceeds received for loss of revenue from her business would be considered by the CRA to be taxable business income, which she would have to declare in her income tax return. Therefore, she believed that ICBC should pay her the gross amount of her income loss, not the net amount.

Given the circumstances, it appeared to us that the application of the provisions of the Insurance (Motor Vehicle) Act to Ms. G's claim might have an unjust effect. Since her settlement would not be income tax exempt, Ms. G would be required to declare it in her tax return and pay any applicable income tax. Therefore, it might be unfair of ICBC to make a reduction (representative of an estimated amount of income tax) to the compensation it was offering her. We discussed this matter with ICBC, and indicated that we felt Ms. G should not receive less than her actual loss because of the existence of a possible conflict between the federal and provincial legislation. This did not appear to be the intent behind the provincial legislation.

In light of the circumstances, ICBC agreed to pay Ms. G the net amount of the settlement as an interim payment. ICBC also agreed that upon receiving proof that Ms. G had declared the interim payment in her income tax return, it would provide her with an ex gratia payment in the amount of the difference between the net and gross figures. Additionally, ICBC told us that it would refer this matter to its legal department for further review.

Woman wants her impounded car back - says she's not at fault

Office of the Superintendent of Motor Vehicles

A woman contacted us to complain about her vehicle being impounded after her ex-husband was caught driving the vehicle without a valid driver's licence.

Ms. D contacted the Office of the Superintendent of Motor Vehicles (OSMV) to request a review of the impoundment because she said her husband had been using her vehicle without her consent. She told us that although the OSMV did review her situation, it did not find in her favour and instead chose to confirm the impounding of the vehicle.

Ms. D maintained that she was not at fault and wanted her vehicle to be released to her and the impoundment fees waived on compassionate grounds. She complained that OSMV's decision to maintain the impoundment was unjust.

We spoke with staff at OSMV regarding Ms. D's complaint. They agreed to contact Ms. D to explain to her the grounds for impounding a vehicle and to discuss the review of her situation with her. Ms. D contacted us to say that she now had a better understanding of the situation and that she was applying for another review of her file.

Following this second review, OSMV agreed with Ms. D's position that her estranged husband had been using her vehicle without her knowledge at the time the vehicle was impounded.

To resolve this complaint, OSMV released Ms. D's vehicle and agreed to waive the towing and storage costs.

Public consultation for proposed school closures
School District 63

While this office generally does not investigate the merits of public authorities' decisions, it can investigate the process leading to a decision, such as whether the consultation process for a proposed school closure was handled in a fair manner.

Also, if it is in the public interest to investigate a matter, the Ombudsman has the authority to initiate an investigation into a matter to consider it from a broad systemic perspective. This was the case when an Ombudsman's investigation was conducted into the process used by a particular school district to consult with the public on a proposed school closure.

While school boards have the authority to close schools, they are also required by the School Act to consult with the public on any proposed closures. This office chose to investigate the public consultation process for school closures to find out if the process was fair and effective in providing the public with an opportunity to express their views and if the process allowed for their views to be properly considered when it came time to make a decision regarding a school closure.

As part of our investigation, we asked the following questions: Is the appropriate information being made readily available to the public? Is a reasonable amount of time available to ensure the opportunity exists for people to express their views and opinions? And finally, does a genuine opportunity exist for those affected by a potential school closure to take reasonable steps to influence the decision?

In response to our investigation and recommendations, the school district made a number of significant changes to its policies regarding school closures. The new policy clearly outlines the process that the school district will follow in consulting with the public and opportunities for those who might be affected by a decision of the board to make their views known. We concluded that the revised policy provided clarity on how public consultations would be conducted and would provide a consistent approach to gathering public feedback and effectively using that information as part of the decision-making process for proposed school closures.

School Principal apologizes for ignoring parent's concerns
School District 61

We were contacted by Ms. K who complained that a high school principal acted inappropriately by not returning her phone calls regarding her daughter and concerns about racism. She told us that the principal only returned her phone calls after she decided to file a formal complaint with the Superintendent's Office.

Ms. K told us that despite knowing her initial concerns had been addressed, she remained upset knowing that the principal had not taken her phone calls seriously and that this could happen again in the future.

We discussed this issue with the principal. In response to our discussions and Ms. K's concerns, the principal wrote her a letter of apology. He emphasized that what happened to Ms. K's daughter was a serious matter that deserved a prompt response from him.

Balance of debt extinguished due to error and omissions

Ministry of Small Business and Revenue

Ms. T contacted our office with a complaint regarding the repayment of her student loan debt. She believed that she had an agreement with Revenue Services of British Columbia (RSBC) and the Ministry of Small Business and Revenue for a final settlement of her debt. However, although Ms. T had made what she had been told was the final payment on her debt, RSBC had notified her that she had to pay an additional amount and it had garnished her income tax refund in partial payment. Ms. T believed that this was unjust and she wanted RSBC to honour the settlement agreement.

Our investigation into this matter revealed that the Ministry had not obtained clarification and acknowledgement from Ms. T about the terms of the initial settlement agreement. As well, RSBC had made an error in calculating the amount she owed and it had not provided her with an explanation of its demand for additional funds.

Under the circumstances, the Ministry agreed to resolve the complaint by accepting that Ms. T's debt had been settled and by refunding to her the amount that it had garnished from her income tax refund.

Student told to repay educational grant

Ministry of Advanced Education

Ms. H contacted our office with a complaint concerning the Student Services Branch of the Ministry of Advanced Education. She told us she had received a letter from the Branch advising her that she had to repay a grant she had received approximately a year earlier.

Ms. H told us she had completed her course of study and that she felt it was unjust for the Branch to ask her to repay any portion of the grant she had received.

As part of our investigation, we reviewed existing information and discussed the matter with both Ms. H and Branch officials. According to Branch records, Ms. H had not followed the rules for receiving a grant, as she had not negotiated the loan portion of her financial assistance package. As a result, the Branch had reduced the amount of Ms. H's grant and informed her that she had to repay the over award.

Our investigation found that after Ms. H's loan and grant documents had been sent to her school, a school official had confirmed her enrolment and Ms. H had sent her loan document to the National Student Loans Service Centre (NSLSC) within the required 30-day time period. However, the NSLSC subsequently notified Ms. H that her loan could not be processed at that time because she owed a small amount of interest on a previous student loan. Ms. H paid the interest owing, but by the time her payment was received, her loan document had become stale-dated. In order for the loan to become negotiable again, Ms. H's enrolment at the school had to be reconfirmed. We were advised that the NSLSC is supposed to contact both the school and the student if a loan document becomes stale-dated and cannot be processed. In Ms. H's case, however, the NSLSC had no record or documentation to show that these required contacts had been made.

During the course of our investigation, Ms. H repaid the over award and her school forgave the remaining tuition that she owed. However, our investigation revealed that Ms. H had not been aware that her loan had not been negotiated during her period of study. Therefore, she had not had the opportunity to take any action to correct the problem. The loan funds were supposed to have been sent directly to her school and neither the school nor the NSLSC had notified her there was any further problem with her funding after she had sent her interest payment.

The Branch accepted that it was not Ms. H's fault that her student loan had not been negotiated. Accordingly, the Branch agreed to resolve the complaint by reimbursing to Ms. H the difference between the amount the school had forgiven and the amount of the over award that she had repaid. The Branch also reminded the NSLSC of the importance of notifying students of any problems with their loan documents.

Stalled student loan relating to incident years ago

Ministry of Advanced Education

We investigated one man's complaint that Student Services Branch denied his student loan because he had withdrawn from school in 1998, resulting in him receiving an over award.

The man told us he had informed the Branch that his withdrawal in 1998 was due to medical reasons. He said he had filed the necessary paperwork with the Branch including his medical records. The Branch said it did not have this information on its file.

The result was that the Branch turned down his application for a student loan and rejected his appeal of that decision.

We notified the Branch twice about the complaint as they could not locate our initial notice of investigation. Within four days of receiving our second notification the administrator of appeals reviewed the file and approved a new student loan. Consequently we ceased our investigation on the basis the complaint had been appropriately settled under section 14 of the *Ombudsman Act*.

Staff required to contact information for supervisor

Ministry of Advanced Education

We received a complaint from a woman who was unhappy with how she was being treated by Student Services staff conducting an audit on her student loan application.

Ms. Q told us that she felt staff had acted improperly by refusing on several occasions to provide her with the name and phone number of a supervisor to speak with about clarifying procedures used for the audit of her student loan application.

Our office contacted Student Services and spoke with a supervisor in the Verification and Audit Branch. We were told that anyone being audited is free to contact a supervisor with any questions they might have regarding the process.

As a result of this conversation, Ms. Q did eventually speak with the supervisor and told us she was satisfied with the outcome of her conversation and our efforts to assist her.

Student elections at University College prompt complaints

Kwantlen University College

Occasionally, authorities notice that their practices do not match with their policies and take action to bring the two into line with another.

A candidate in a student election complained that Kwantlen University College (the University College) did not follow its appeals policy when he raised concerns about irregularities in the elections to the University College's Board of Governors. The appeals policy in place at the time called for appeals to be submitted to the official in charge of administering the election for a hearing by the University College's Elections Appeal Committee. In this case, the official in charge of the election had dismissed the candidate's complaint without referring the matter to the Elections Appeal Committee.

When this candidate complained that the appeals policy had not been followed, the University College amended its appeals policy to reflect what had actually occurred, instead of providing him with the appeal option specified in its existing appeals policy. The new policy enabled the official in charge of the election the option of dismissing the complaint herself or referring the matter to the Elections Appeal Committee. In other words, the University College changed the rules after the fact to bring the rules into alignment with what had actually occurred.

When we investigated this matter we found that referring the matter back to the University College's Elections Appeal Committee for further consideration was no longer a viable option, given the passage of time. However, we did raise questions regarding the fairness of the University College's revised appeals policy. The revised appeals policy enabled the official charged with running the election to dismiss a complaint about his or her actions without any other level of recourse. In effect, the amended policy enabled the review of a decision by the same person who had made the decision.

At our office's suggestion, the University College amended the appeals policy again. The new policy ensures that a complainant has access to a two-stage process whereby a third-party review of the matter is provided by one of the University College's Vice-Presidents, removing any perception of bias that might arise where a review of a decision is conducted by the decision-maker in the first place. Our office was satisfied with this modification in the appeals policy.

Man's appearance causes problem in psychiatric ward

Forensic Psychiatric Services Commission

A man contacted us to complain that the Forensic Psychiatric Services Commission (FPSC) had told him to change the way he dresses. Mr. J said he was told by FPSC staff not to wear his black clothing, skull bandana, iron cross necklace and black Goth makeup.

Our investigation of this matter included discussions with a Director at FPSC and a review of any relevant files. We learned that although the files showed Mr. J was asked to make changes to his clothing style, there was no record that he had been told to stop wearing black clothes and makeup.

We were told by the Director that other patients had said that they were negatively affected by certain symbols, such as skulls, and for this reason Mr. J was asked to change the way he dressed. We concluded that the FPSC had acted in a fair manner.

Patient involuntarily committed under mental health laws

Royal Columbian Hospital

Although we do not have the authority to investigate the actions of doctors, we can investigate administrative decisions by officials in hospitals and other medical facilities. In one situation a woman contacted us to complain that she had not been fairly treated in hospital when she was involuntarily committed under the *Mental Health Act*.

Ms. L expressed her concerns to us about her treatment by doctors and hospital staff, as well as the lack of action by the hospital in looking into her complaints. We advised her that she could raise her complaints about doctors with the College of Physicians and Surgeons and we would investigate her complaints regarding the hospital procedures in general.

Following her time at the hospital under the *Mental Health Act*, Ms. L had a number of complaints about how she had been treated. Ms. L also wanted to know what her rights were in this situation and in light of her experience wanted government to review its mental health legislation. She initially directed her concerns to the hospital officials but was not satisfied with the information she received.

After contacting the hospital officials we were told that Ms. L had been given the hospital's policies for dealing with people involuntarily committed under the *Mental Health Act*, although in this case Ms. L had not received a written copy of their statement of patients' rights in a timely fashion. We were then advised that the hospital's Manager of Mental Health was meeting with her to discuss the hospital's procedures.

The hospital officials indicated they were always looking at how they could more effectively and sensitively treat patients such as Ms. L and chart their progress more thoroughly. A commitment was made by the Hospital Manager to discuss these matters with staff to find ways to achieve this goal. Ms. L was also advised that she could discuss mental health legislation with her MLA. The hospital indicated that it would continue to review this matter with Ms. L to address her concerns and make any necessary changes to existing hospital policies.

After discussing this matter with Ms. L we concluded that her initial concerns were being addressed and that further investigation was not necessary. We did however encourage her to come back to our office if she was not satisfied by the internal dispute resolution process.

Uninsured man charged high medical fees

Providence Health Care

We received a complaint from a man who was shocked to find out how much he had to pay to visit a doctor in an emergency room so that he could get a prescription for urgently required medication.

Mr. C knew that because he had no medical insurance he would have to pay a fee to see an emergency room doctor about the prescription, but he said he did not know how much he would pay until he received a bill for $294 in the mail.

Mr. C told us that he felt the fee should be reduced or cancelled because he was not informed how much he would have to pay. He stated he would have found another way of getting his medication if he knew he would have to pay almost $300 to see a doctor to obtain a prescription.

After we discussed the matter with Providence Health Care, which managed the hospital, an offer was made to Mr. C to reduce his bill by 50 per cent. We advised Mr. C that given the circumstances we believed the offer of a 50 per cent reduction to be fair and reasonable.

Collector looking for unpaid medical premiums

Medical Services Plan

This office regularly receives inquiries and complaints concerning medical coverage and Medical Services Plan premium assistance for people with low incomes.

In this fairly common example, Mr. R contacted us to complain that he was being pressured to pay overdue medical premiums. Mr. R felt that he qualified for premium assistance but he agreed to pay Revenue Services BC (RSBC) the money it said was owed.

In a situation such as this, our office can involve itself to first of all establish what the facts are, and secondly to see if a simple solution can be found to address the issue.

In Mr. R's case we contacted the Medical Services Plan to find out if he qualified for premium assistance and if so, how the matter might be settled.

In response to our inquiries, we were advised that Mr. R did qualify for premium assistance and that he would be sent a refund cheque to cover the payment he made to RSBC.

Problems with Medical Plan billing

Medical Services Plan

In this example of never-ending paper trails, Mr. A told us that Medical Services Plan (MSP) was threatening to collect unpaid medical premiums covering a number of years. He also told us he had been having difficulties getting an application for premium assistance and that his letters to MSP about this problem had gone unanswered.

Even when Mr. A was eventually approved for premium assistance, the coverage did not extend to all of the years in question so MSP still wanted substantial payments from him.

We contacted MSP and learned that prior to 1998 Mr. A's medical premiums had been fully covered because he was receiving income assistance. When his income assistance ended he was notified that he was responsible for paying his own premiums. He was also provided with an application for premium assistance at that time, which they had no record of being returned.

When he did apply for premium assistance in 2005 there was a backlog of applications due to the transfer of billing from MSP to Health Insurance British Columbia (HIBC). Mr. A's application was finally processed in January 2006 and backdated to January 1, 2004. Although Mr. A would likely have qualified for premium assistance back to 1998, at that time the legislation limited how far an application could be backdated. As a result, Mr. A still owed the provincial government for his medical coverage premiums between 1998 and the end of 2003.

Happily, the province made changes that meant that his premium assistance application for the earlier years could now be processed. We were able to advise him that as his application for premium assistance had now been approved we were closing this file.

Father intervenes in son's medical billing dilemma

Health Insurance British Columbia

A man contacted us to complain that Health Insurance British Columbia (HIBC) was not managing his son's medical coverage properly and that he had to intervene on his son's behalf because HIBC was not treating his son respectfully.

Mr. G told us that when his son applied for medical coverage following his graduation from university, he was told by HIBC that he would automatically qualify for premium assistance for at least a year based on his previous year's income.

Although his son completed an application for premium assistance, there was a delay in processing and his son received monthly bills from HIBC. HIBC itself advised his son to ignore these bills. After receiving a bill for the fifth month in a row his son was threatened with legal action if he did not pay, Mr. G contacted us to complain on behalf of his son. He also told us that although he and his wife were treated reasonably by HIBC staff, he did not feel his son was being treated with the same respect.

After we investigated these complaints, HIBC wrote to the family to apologize for the delay in processing the application. HIBC acknowledged that a number of administrative errors had been made that resulted in Mr. G's son continuing to be billed and that bill being sent to a collections agency, all for a debt he did not owe.

No medical coverage without application for permanent residency

Health Insurance British Columbia

We investigated a complaint by a woman that Health Insurance British Columbia (HIBC) refused to approve medical coverage for her because she was not a legal resident of Canada. She said that due to a recent diagnosis of cancer she was in need of medical coverage.

We were told by Ms. E that she was unable to get approval for medical coverage until Immigration Canada had confirmed for HIBC that they were in receipt of and processing Ms. E's application for permanent residency. Ms. E said that in the meantime, she was spending a lot of money for cancer treatment as a non-resident.

We looked into this matter by contacting a Supervisor at HIBC to see what could be done to assess Ms. E's application for medical coverage more quickly. The supervisor indicated that she could check Immigration Canada's electronic system to determine if Ms. E's application for permanent residency had been received.

HIBC confirmed that they had received electronic verification that Ms. E's application for permanent resident status was being processed. They said that they had approved Medical Services Plan coverage for Ms. E retroactive to the earliest date possible. We were able to let Ms. E know that she was now covered for medical treatment and that she may be entitled to be reimbursed for her previous medical expenses.

Ambulance billing freezes income tax refund

Ministry of Health

A man came to us with a complaint that he had been unfairly billed by the Ministry of Health for ambulance transportation and that his income tax refund had been seized by the Ministry in order to force him to pay the bill.

He explained that he should have been exempt from paying for ambulance services because he was on income assistance and premium assistance, and that the government's decision to seize his income tax refund had added to his financial difficulties.

We discussed this with the Ministry, which confirmed that the man had been on income assistance during the time in question and that under the circumstances he should not have been charged for the ambulance service.

To resolve the issue, the Ministry agreed to release the income tax refund that had been seized and to erase the man's debt from its records.

Man wants list of doctors prescribing medication

College of Physicians and Surgeons of BC

Although we may not always be able to provide a complainant with the result they are looking for, we can provide a valuable service in those situations by helping to explain the reasons behind decisions or actions they may not agree with.

For example, Mr. U came to us with a complaint that the College of Physicians and Surgeons of BC refused to provide him with a list of doctors in the Lower Mainland that could prescribe him methadone for medical purposes.

After investigating the matter, we advised Mr. U that in our view it was reasonable for the College not to provide the public with the names of doctors authorized to prescribe methadone because these doctors had specifically asked the College to not provide their names publicly.

We explained to Mr. U why he could not get the list of doctors from the College, that information however was available regarding methadone clinics, and that he also had the option of visiting his own doctor for a referral.

Although he did not get the list he wanted, Mr. U did benefit from an independent and impartial review of his complaint as well as a full explanation of why he could not obtain what he had requested and options about what he could do to deal with his situation.

Lack of adequate reasons for decision

College of Dental Surgeons

Mr. C. complained to the College of Dental Surgeons that a dental student acting under the supervision of a dentist had performed a root canal on Mr. C without his knowledge or consent. Mr. C believed that the dental treatment he received was substandard and he made other related complaints to the College.

The College wrote a very brief response to Mr. C in which it stated that Mr. C's allegation could not be supported and a decision had been made to take no action. The letter stated that the *Dentists Act* and the Rules made under the Act prevented the College from providing details of its investigation.

Mr. C complained to the Ombudsman's Office that the College failed to address all of his concerns and failed to provide reasons for its decision not to proceed further.

Following our review of the College's records, it appeared that the College investigated and deliberated in respect of each of the concerns raised by Mr. C. However, in the absence of any meaningful analysis or reasons for the decision in the College's letter to Mr. C, we could understand why Mr. C might be left with the impression that not all of his concerns were addressed.

The provision of reasons for a decision is fundamental to ensuring a fair and transparent decision-making process. Reasons enable parties to understand the factors considered by the decision-maker and the rationale on which conclusions were reached. Reasons reduce the appearance of arbitrariness and help to promote public confidence in the fairness of administrative proceedings. Reasons also enable parties to determine whether there may be grounds on which to dispute a decision.

The College was not persuaded that under the existing legislative scheme it was obligated to provide reasons in cases such as the one involving Mr. C. However, the College agreed to write a supplementary letter to Mr. C with reasons in order to resolve his complaint. The supplementary response proposed by the College contained adequate detail and reasons to address our concerns in this case.

We remained concerned by the College's general unwillingness to provide reasons for its decisions not to take action in regard to a complaint; however, it appeared our concern would soon be resolved.

We were informed by the Ministry of Health that the *Dentists Act* would likely be repealed in the 2006 session of the Legislature and that the College of Dental Surgeons would then be governed by the *Health Professions Act*. Once that occurred, we understood that the College would be required in circumstances similar to Mr. C's to provide reasons for its decisions. In view of this and the College's provisions to Mr. C of reasons for its decision, we discontinued our investigation. At the time of printing this report, the *Dentists Act* has not yet been repealed.

Woman refused income assistance without adequate reasons

Ministry of Employment and Income Assistance

More than one year after the Ministry of Employment and Income Assistance decided that a client was not eligible for income assistance; Ms. B contacted the Ombudsman's Office to complain. Ms. B was not sure why the Ministry had decided she was ineligible for income assistance; however, she believed the reasons related to her access to a trust fund belonging to her son.

Ms. B explained that her son sustained a head injury in a car accident when he was a child and a trust fund was established with the proceeds from an insurance settlement. Ms. B said that when her son turned nineteen he was incapable of managing his affairs so she was appointed committee. As committee, Ms. B had access to her son's trust fund; however, she maintained that she had no right to use money from the fund for her own benefit. Ms. B believed the trust fund should have had no bearing on her eligibility for income assistance. She was also concerned that the Ministry refused to reconsider the decision, respond in a substantive way to her request for administrative review or reply to her letters of complaint.

The reasons for the Ministry's decision regarding Ms. B's eligibility were unclear and might not have been communicated to her at the time the decision was made. It was also not evident that Ministry policies were followed in Ms. B's case. Following a period of consultation, the Ministry agreed to reopen Ms. B's income assistance file and assess her eligibility for income assistance from the date on which her file was closed. The Ministry subsequently concluded that the trust fund did not have any bearing on Ms. B's eligibility for income assistance and determined that she was eligible for income assistance all along. To address the matter, the Ministry made a payment to her equivalent to the amount she would have received had her file not been closed. We considered the complaint to be settled and we discontinued our investigation.

Disability income reduced

Ministry of Employment and Income Assistance

Although some of the cases we investigate involve relatively small sums of money, we are constantly reminded of how important those extra dollars can be for those on small, fixed incomes.

For example, one woman asked us for assistance when the Ministry of Employment and Income Assistance reduced her disability income by $200 because her son was temporarily out of her care.

She explained to us that she needed to buy food but had run out of money. She felt it was particularly unfair to cut back her disability that amount given that her expenses were almost the same as when her son lived with her.

She told us that she did not know if she had the option to appeal the decision regarding the reduction in income, and said that she was unable to discuss the matter with Ministry staff due to a no contact restriction.

We discussed this matter with the Ministry, which committed to review how the woman's disability assistance had been calculated and why it had been reduced in amount.

Following the review of this matter, the Ministry immediately issued the woman a $150.50 cheque.

Disabled person penalized for misplaced support cheques

Ministry of Employment and Income Assistance

Ms. Q has power of attorney for her severely disabled daughter. She misplaced a number of her daughter's disability cheques and then deposited them in the bank sometime later when she found them. Ms. Q supported her daughter from her savings in the interim. Two of the cheques were returned to Ms. Q because they were stale dated. She requested that the Ministry reissue the cheque and the Ministry decided not to reissue them and to reduce the amount of Ms. Q's daughter's monthly entitlement.

Ms. Q disagreed with the Ministry's decision to not reissue the stale dated disability cheques and to reduce her daughter's monthly support entitlement. She believed that the process the Ministry followed in reaching its decisions in this case was unfair because the Ministry failed to consider relevant factors.

After reviewing the case, the Ministry informed us that in light of the circumstances in this case, they reissued the cheques. In addition, the Ministry informed us that they are working with Ms. Q to set up a direct deposit. The Ministry also informed us that they reinstated the full amount of benefits to Ms. Q's daughter and that they scheduled a financial review with Ms. Q to determine current financial circumstances and need.

We considered the complaint to be resolved and we closed our file on the basis of section 13(i) of the *Ombudsman Act*.

Ministry refused to pay moving costs

Ministry of Employment and Income Assistance

Sometimes as a part of an investigation, questions may come up regarding government policies and processes that, in our view, may include built-in obstacles that hinder service to the public and achieving the goals of the programme.

This was the case when Mr. W came to us to complain that the Ministry of Employment and Income Assistance would not reimburse him for moving expenses because he had failed to file certain documentation within a specified timeframe when claiming the expenses. He said he had not been told there was a particular time limit.

The problem for Mr. W was, in order to get reimbursed for his moving expenses he had to have an active file with the ministry, but because he had not provided a cheque stub his file had been closed after 30 days. He explained he had not sent the cheque stub in as he had happily got a job and would not be seeking income assistance benefits for the following month.

After much discussion between the Ministry and this office, the Ministry agreed to pay Mr. W's moving costs.

Long-time debt comes back to haunt couple

Ministry of Employment and Income Assistance

Ms. Y contacted us to complain that the Ministry of Employment and Income Assistance treated her and her husband unfairly by not telling them they owed more than $5,000 to the government for approximately ten years, and that they believed they were now responsible for paying a significant amount of interest because they did not know about the debt.

The Ministry informed us that this complaint related to a conviction against Ms. Y's husband in June 1996. At that time her husband was ordered to repay the Ministry money that was taken fraudulently.

Since it is mandatory that a copy of the order be given to the convicted person, the Ministry believed the husband was properly informed of his debt. We were also advised by the Ministry that a breakdown in communication between the Court Registry and the Ministry resulted in the Ministry not following up on collecting this debt as quickly as it normally would.

In conclusion we advised Ms. Y that because there is no time limit on an order of this nature we believed she and her husband were still responsible for paying off the debt. The good news however was that in fact no interest had been added to the amount owing by either the Ministry or Court Services.

We also told Ms. Y that if she and her husband felt their lawyer had not properly informed them of the amount owing, they could contact the Law Society of British Columbia to discuss the matter.

Appeal decision based on wrong information

Employment and Assistance Appeal Tribunal

Our office was contacted by Ms. F, who said a decision by the Employment and Assistance Appeal Tribunal was unfair to her because the Tribunal had made a decision on a matter she did not appeal because it had been sent the wrong information package.

We were told by Ms. F that she had been waiting for a decision from the Tribunal regarding reimbursement for home repairs. When she found out the Tribunal had not decided in her favour, she also discovered the Tribunal had made its decision based on information not relating to her case.

We discussed the matter with a District Supervisor for the Ministry of Employment and Income Assistance, who agreed that the Tribunal had been sent the wrong information by his office.

To address Ms. F's concerns, the Supervisor ensured that the Tribunal was sent the correct information package and the appeal proceeded.

We were also advised that as a result of Ms. F's complaint, the Ministry had made changes to its internal procedures to avoid similar errors in the future.

Man questions paying child support for 19-year-old son

Family Maintenance Enforcement Program

We were contacted by a man who felt the Family Maintenance Enforcement Program (FMEP) was operating unfairly by continuing to make him pay child support payments for his 19-year-old son.

Mr. V said that his child support payments should end automatically when his child reached 19 years of age and he believed that FMEP was treating him unfairly by telling him he had to bring the matter before the courts if he wished to have his child support obligations terminated.

We reviewed this matter with the FMEP. They relied on case law which supported court-ordered child support obligations could continue past a child's nineteenth birthday provided the child was living with the recipient of the maintenance, not working and was attending school.

We were also advised that it is FMEP policy to continue enforcing child support past the child's nineteenth birthday when that child indicates that he or she intends to return to school. It is also policy to stop enforcing child support if the child has not returned to school after two consecutive semesters have passed.

In this case, Mr. V's ex-wife told FMEP that her son intended to return to school so enforcement of child support had continued. By February 2006 though, in accordance with FMEP's policy, after two school terms had passed and Mr. V's son had not yet returned to school, FMEP stopped enforcing child support.

As it appeared after our investigation that the policy on ceasing payments that was applied in this case was reasonable we closed the file.

Man's pension seized by Family Maintenance Program

Family Maintenance Enforcement Program

We were contacted by Mr. M who said he had been left penniless because all of his pension income was being seized by the Family Maintenance Enforcement Program (FMEP).

We spoke with a Manager at FMEP to find out why 100 per cent of Mr. M's federal pension had been garnished, even though provincial legislation allows for a maximum of only 25 per cent of a federal pension to be seized.

The Manager discovered that Manitoba's Maintenance Enforcement Program had seized 100 per cent of Mr. M's Canada Pension Plan and Old Age Pension, which was permitted under Manitoba legislation.

The Manager asked the Manitoba program to stop seizing Mr. M's pension funds because he was no longer living in that province. The Manager also arranged for Mr. M to receive a refund from the Manitoba program.

Driver's licence seized due to unpaid family maintenance payments

Family Maintenance Enforcement Program

Sometimes we are asked to get involved because of poor communication between the individual and the public authority. In these cases we do what we can to move things forward.

That was the case when Mr. P contacted us to complain that his driver's licence which he needed for his job as a gravel truck driver had been seized by the Family Maintenance Enforcement Program (FMEP).

He told us that FMEP had seized his licence in an attempt to collect maintenance money owed for a period of time between 1996 and 1997. However he said FMEP was making a mistake because the debt had been eliminated back in 1997.

Our office's involvement ultimately facilitated communication and FMEP agreed to lift the restriction on Mr. P's driver's licence once he provided them with information proving that the debt in question had been dealt with properly.

French marriage certificate refused as identification

Government Agent Office

A woman contacted the Office of the Ombudsman with a complaint that a government agent office (GAO) acted in a discriminatory manner by asking her for her marriage certificate before it would issue her a driver's licence, and by rejecting her French marriage certificate, requiring that it be translated into English.

The Insurance Corporation of British Columbia (ICBC) driver's licence identification policy states that an individual may obtain a licence if he or she can produce one piece of primary identification and one piece of secondary identification. The policy characterizes each piece of identification as primary or secondary. If the names on the two pieces of identification do not match, the individual must provide documentation to explain why the name has changed. We determined that the GAO acted reasonably and in accordance with ICBC policy when the GAO required Ms. K to produce her marriage certificate and we closed this portion of our file as not substantiated.

In regard to Ms. K's concern about the marriage certificate being rejected, the GAO advised that, up until very recently, the GAO was under the mistaken impression that ICBC would not allow it to accept non-government issued identification such as marriage certificates from churches. The Government Agent advised that Ms. K's marriage certificate was likely refused because she attended the GAO at approximately the same time that this change was being made.

In regard to the French language issue, the applicable ICBC policy states that even if a document is in another language, if it is easily readable, the employee has the discretion to accept it. If the document is not easily readable, the employee must ask the individual to take the document to a translator and have it translated. The Government Agent offered to meet with Ms. K in order to determine whether her marriage certificate was easily readable to a non-French speaking person. When he determined that it was easily readable, Ms. K was issued her BC driver's licence.

As Ms. K received her BC licence, and the Government Agent assured our office that he would follow up with his staff members to ensure compliance with policies and customer service guidelines in the future, we considered the matter resolved and closed this portion of our file as settled.

Woman concerned about son's release from prison

Community Living BC

Sometimes a phone call to our office requires quick action. In this case, a woman contacted us to complain that government was not taking the proper steps to prepare for her son's release from prison.

Ms. M told us she had been notified that her son, who had a dual diagnosis of mental illness and a developmental disability, was about to be released from jail six days earlier than expected. Due to concerns about potential violence he was not permitted to return home but Ms. M was concerned for her son's safety.

Although her son had been receiving services from Community Living BC (CLBC) before his imprisonment, Ms. M felt there was no plan in place to support his release from prison. She was worried that her son's situation fell between the cracks of government programs that offered services to those with disabilities and those with mental illness.

She was concerned that her son was not permitted to return to the group home where he had been staying unless he agreed to take his medication, and that he was simply being referred to a homeless shelter for support.

After being informed of this complaint, CLBC advised us that plans were being made to address Ms. M's concerns. Following his release from prison, her son would be provided with accommodation and meals, along with the presence of a social worker for the first night to help keep an eye on him. It was later agreed that he would return to a group home. CLBC also indicated it was contacting other agencies to help in developing a more concrete plan for Ms. M's son.

This file was closed as the critical short term issues had been addressed and a concrete longer term plan was in development.

Legal Costs Paid

Sunshine Coast Regional District

As a general principle, authorities are familiar with their mandates and their ability to take actions in their field of expertise. While this principle would not apply to situations where the state of the law or the empowering legislation is unclear, members of the public should not be required to hire lawyers to inform authorities of what the authority can and cannot do. When this occurs and an authority clearly recognizes that it should have known that it could not do what it was trying to do, we believe it fair for the authority to absorb the legal costs of the member of the public.

One such situation occurred when the Sunshine Coast Regional District accepted that it was responsible for the legal costs of a woman when it attempted to place a restrictive covenant on a building permit to be issued to her. She was only able to resolve this when she hired a lawyer and the Regional District accepted the lawyer's claim that the Regional District could not attach this type of requirement to the issuance of a building permit. She complained that the Regional District was acting unjustly in refusing to compensate her for all of the legal expenses that she had incurred to resolve this matter. The Regional District had taken the approach that it was willing to share the costs associated with her expenses.

Our investigation reviewed the basis for the Regional District's offer to share the expenses that this woman had incurred. Although we accepted that this woman would have been responsible for paying for the building permit, we did not agree that the Regional District was acting fairly when it attempted to recover a penalty amount associated with this building permit that it had not attempted to recover until it accepted responsibility for sharing her legal expenses. At our suggestion, the Regional District agreed to pay this woman's legal costs and issued her a cheque for $1,075.42 for the full legal costs that she had incurred plus applicable interest. The Regional District also provided this woman with a written apology. In her letter of appreciation, this woman observed that "your office is very necessary for those who dare to dispute government officials who make their own rules and ignore the current bylaws."

Advertising leads to complaint about water charges

City of Richmond

The City of Richmond initiated a new water metering program in 2004 but failed to properly explain how people in the municipality would be charged for their water use. Confusion over this matter led to a complaint to us that the municipality had been misleading in its efforts to publicize the new program.

According to Ms. R, advertising regarding the water program had led her to believe that she would be charged for water use based only on the actual amount she used. However when she was billed she discovered that she had been charged for more than her actual use.

In discussing this issue with the City of Richmond, the municipality agreed that advertising for the water program had not been clear and should have included a message that there would be a minimum charge applied which may be more than a resident's actual usage.

Our involvement led to the City of Richmond revising its promotional and public information material to better communicate its water billing policies.

Confusion over sewer connection approval

Peace River Regional District

Mr. L asserted that the Regional District's Sewer Commission had acted unfairly by altering its position on his ability to obtain service, without considering his interests. According to Mr. L, he and two neighbours had proposed to offer an easement and to fund a large-capacity line, in return for receiving connections to the line. Mr. L said that the Commission had accepted this proposal, and that the work to provide the line had been done on that basis. After paying for the line, Mr. L was informed that only one of the neighbours had a right to service, as that person's property abutted the existing main line.

Before contacting our office Mr. L and his neighbours attempted to address their concerns directly, meeting with the Commission, offering the easement, and offering written assurance that no further connections would be sought. According to Mr. L, the Commission was relying on unclear or inaccurate information about the current capacity of the system to support its decision to continue to deny him service.

We notified both the Commission and the Regional District of the investigation of this complaint, since the Commission has only the authority delegated by the Regional District to administer the local service. Investigation suggested that the Commission had passed a motion related to Mr. L's ability to acquire service, and had rescinded that motion without notice to him and without giving Mr. L an opportunity to be heard and the impact on the complaint and on his neighbours had not been fully considered by the Commission.

After discussions, further information was obtained about the ability of the system to absorb two new connections, and those connections were offered to the parties, on provision of a registered easement for the line in question. Since Mr. L's neighbour did not have immediate need for a connection, the parties and the Commission agreed that both connections could be assigned to Mr. L, thus providing the service originally requested. These actions settled the complaint and so our file was closed pursuant to s13(i) of the *Ombudsman Act*.

Action expedited for WCB claimant

Workers' Compensation Board

An important role the Ombudsman can fulfill is to clarify for an authority the urgency of dealing promptly with a complaint. These are situations that need to be dealt with quickly otherwise there may be significant consequences for those caught in the middle.

In this case Mr. O contacted us to complain that a claim he had made to the Workers' Compensation Board (WCB) had taken so long to process that he had received disconnection notices for utilities and he feared bank foreclosure on his home if funding did not become available immediately.

Although Mr. O had been receiving wage loss income from the WCB for the previous two months, there had been a significant delay in issuing him retroactive pay due to the need for an opinion from a WCB medical advisor. This is the money Mr. O needed in order to make payments on his home.

After we notified the WCB of Mr. O's concerns, the WCB redirected its request for a medical opinion to a medical advisor who could deal with this matter quickly.

Within a week the WCB had received the medical opinion it required, and proceeded to issue Mr. O retroactive payments totalling $28,000.

WCB error leads to reduced benefits for injured man

Workers' Compensation Board

Mr. H complained to us that the Workers' Compensation Board (WCB) had acted unfairly by refusing to correct a mistake in calculating how much disability pay he should receive. Mr. H's T4 slip, describing his earnings used to calculate a benefit, was difficult to read with the result that a decimal point appeared one place to the left. Mr. H told us that this mistake had resulted in lost benefits to him.

When we investigated this complaint we found that Mr. H had not asked for a review of the original wage rate decision because he had not noticed the error. When he noticed the mistake, Mr. H had asked for an extension of time to have the wage rate reviewed; however this was denied by WCB because the appeal period had expired.

We contacted WCB, provided it with the information we had and WCB agreed to our office's request that it review Mr. H's wage rate and if possible, correct the error. WCB resolved the complaint by issuing Mr. H retroactive benefits.

Woman upset to learn she was subject of WCB video surveillance

Workers' Compensation Board

We were contacted by Ms. O who was upset that the Workers' Compensation Board (WCB) had covertly been using video surveillance of her daily activities to assess whether or not she was being truthful about her injury.

In addition to feeling that her and her family's privacy had not been respected, Ms. O felt that the WCB had violated its own policies by not having reasonable grounds to justify using video surveillance. We investigated this to see if WCB had acted fairly by adhering to its own policies regarding the use of video surveillance.

As part of our investigation, we reviewed all file information on this case and spoke to a WCB Case Manager, Field Inspector and Medical Advisor.

We found that in this case the WCB had complied with its policy.

However, to ensure its policies and procedures were clear, the WCB undertook to revise how its substantiation for the use of video surveillance in the future was documented.

WCB medical assessments too much for injured man

Workers' Compensation Board

We received a complaint from a woman regarding the Workers' Compensation Board (WCB) and the number of neuropsychological assessments it was requiring her husband to take.

We were told that Mr. L had suffered a brain injury as a result of a workplace accident. His condition had deteriorated and he was experiencing fatigue in part because he was subjected to so many assessments.

Ms. L complained that WCB had not properly considered Mr. L's condition in demanding all of the assessments and had not consulted with their family doctor to discuss the matter.

We discussed this situation with WCB staff, who explained to us that in this case neuropsychological assessments were necessary in order to develop a proper treatment plan for Mr. L. However WCB agreed to be more sensitive to the family's concerns and postponed further medical assessments for at least three months. It also agreed to consult with Mr. L's family physician and to provide him with copies of WCB medical files on this case.

Ms. L notified us that her communication with WCB had improved significantly since we investigated her complaint and that she felt Mr. L was being treated with more respect and was feeling better about his situation as a direct result of these improvements.

Public Guardian and Trustee honours commitment of its employee

Office of the Public Guardian and Trustee

Ms. V was in a car accident when she was a child. Her ICBC settlement was administered by the Public Guardian and Trustee (PGT) until she reached the age of majority. Ms. V was concerned about the fees the PGT charged her to administer her account and she expressed these concerns to the PGT. The PGT agreed, in writing, to waive the fees. When Ms. V received her cheque from PGT only a small portion of the fees were reversed.

We investigated Ms. V's concern that the PGT acted unfairly by failing to follow through on its commitment to waive the fees for administering her account. The PGT reviewed Ms. V's concern and explained that in issuing the cheque to her and responding to her subsequent appeal, they were unaware of the fact that PGT staff had sent a letter to Ms. V indicating that PGT was not going to charge her commission for administering the account. PGT explained that the information in the letter to her was incorrect and that PGT only should have agreed to refund a small amount of its fees.

In light of this mistake and in the interest of fairness PGT agreed to reimburse Ms. V for the full amount of the commissions charged plus interest. As a result, we considered the complaint to be settled.

Professional association challenged on assessment processes

Certified Management Accountants Society of British Columbia

In addition to having jurisdiction to investigate ministries, municipalities and school boards, the Ombudsman's Office also has the authority to investigate complaints against governing bodies of professional and occupational associations.

One such case involved a woman contacting us with a number of complaints about a training program run by the Certified Management Accountants Society of British Columbia (CMA).

Ms. N's complaints related to her participation in the CMA Fast Track Program, which she did not successfully pass.

Ms. N complained that the CMA had changed the examination structure for the program after she had enrolled; that the program was shorter in duration than she had been told; and that the CMA had acted unfairly in not allowing her to appeal her grade without a medical reason to do so.

We agreed to investigate whether unfair changes were made to the program by the CMA that resulted in Ms. N failing the program and whether she should have been given an opportunity to appeal her grade.

We concluded that the changes to the examination process that were put in place for subsequent courses were done in a considered, not an arbitrary, manner. We found that the length of the program had always been the same but that it consisted of two phases. Finally we were satisfied there were mechanisms in place that allowed students to question the appropriateness of exam questions. In concluding our investigation we found that the CMA had, in each area of complaint by Ms. N, acted reasonably in the changes they made to the Program. We also concluded that the CMA had properly considered Ms. N's request for an appeal.

Telephone charges corrected

North Fraser Pretrial Centre

This office serves all of the general public, including those in provincial custody. It is those who have more difficulty being heard, such as those imprisoned, who may need our services the most.

Mr. U contacted our office from the North Fraser Pretrial Centre (NFPC) where he was preparing to be discharged as an inmate. He believed it was unfair of NFPC to charge his account for phone calls he needed to make to a social agency to help him prepare for his discharge. It was his understanding that calls to this agency were supposed to be free of charge.

We discussed Mr. U's complaint with a Deputy Warden at NFPC, who confirmed that telephone calls to the social agency should be free of charge for inmates. He looked into the matter and discovered that changes needed to be made to NFPC's telephone database to correct the problem. In addition to making these changes, he ensured that Mr. U and other inmates who had paid for phone calls to the social agency were reimbursed.

Telephone messages left for ex-employee go unreturned by government office

Ministry of Small Business and Revenue

This is a case that illustrates the impact one employee can have on the public if he simply forgets to update the message on his telephone when he moves to another job.

We received a complaint from Ms. G that the Ministry of Small Business and Revenue would not return her phone calls. She told us that she had left numerous messages for someone at the Ministry to discuss what she needed to provide in order to demonstrate that she was eligible for an exemption from social services tax on a transfer in the ownership of a motor vehicle.

When we contacted the Ministry we learned that the employee she was trying to contact was no longer employed there. We also learned that the employee had left his position without changing his personal voice mail message to indicate that he was no longer available. This meant Ms. G's concerns went unanswered, while she continued to leave messages on a government telephone line that was no longer being used.

Shortly after we notified the Ministry of this problem, Ms. G was contacted by a manager from the Ministry to discuss her situation. The manager received enough information from Ms. G to cancel over $1,500 in taxes, penalties and interest that the Ministry had been seeking from her. The Ministry issued her a written apology and advised her that steps had been taken to update the voice mail of its former employee.

Hunter says he was not told about an early closure to hunting season

Ministry of Environment

We received a complaint from a man who said Fish and Wildlife Recreation and Allocation Branch did not notify hunters that it was initiating an early closure to the spike-fork moose hunting season.

Mr. S told us that on October 22 he had purchased a tag to hunt moose in a management area in the Chilcotin, and it was his understanding that hunting season closed on November 30. However when he arrived to hunt on October 24 he was told that hunting season had closed on October 15.

According to Mr. S, Branch staff responded to his complaint by telling him that the closure date was noted on its website to which Mr. S-responded that he did not have access to the Internet. The Branch told him his fees for the hunting tag were non-refundable and non-transferable.

The Director of the Branch explained to us that a number of steps were taken to communicate the early closure to hunters in the region. He said that public communication material had been released on the issue, and that it was the responsibility of Government Agents to notify the holders of hunting licences of early closures.

However after acknowledging that they could not be certain that the vendor who sold Mr. S his licence knew about the early closure prior to selling him the licence, the Director agreed to refund Mr. S's hunting fees.

Authority

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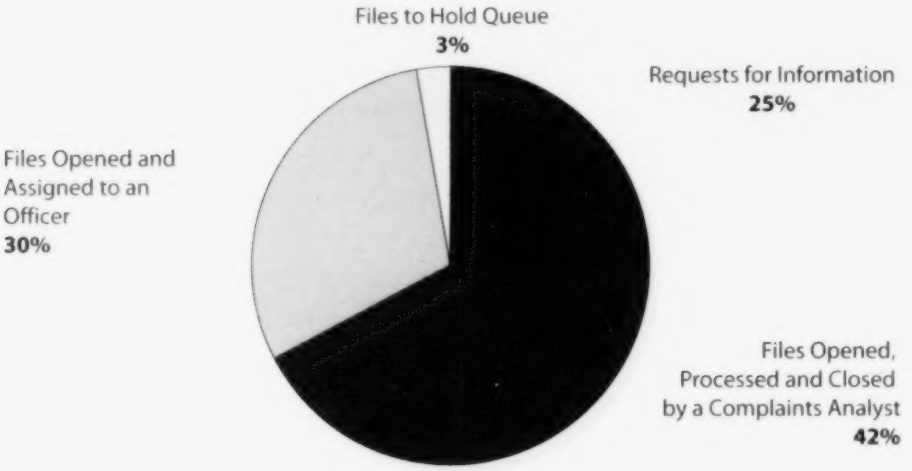
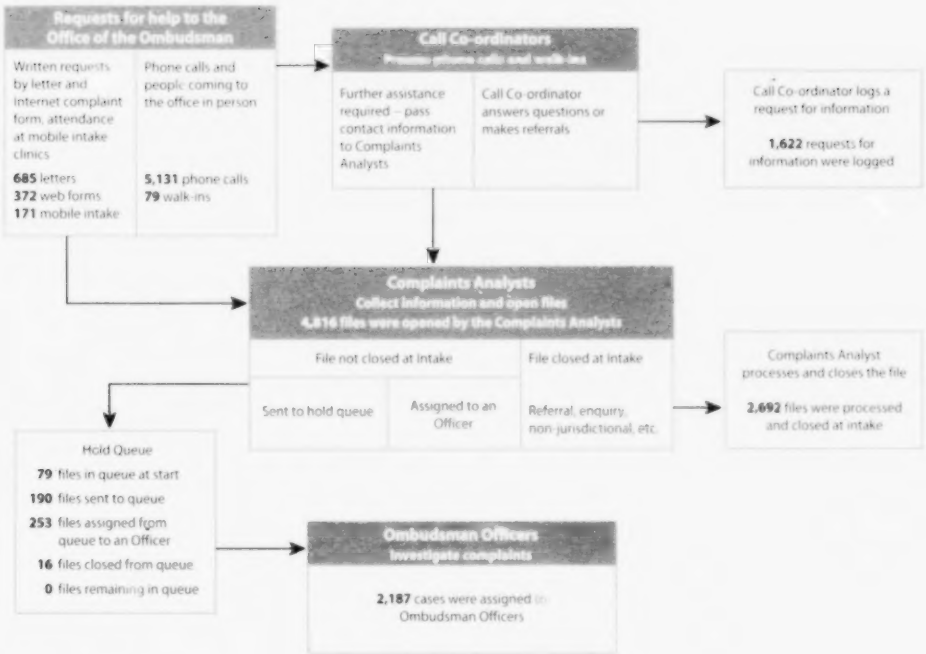
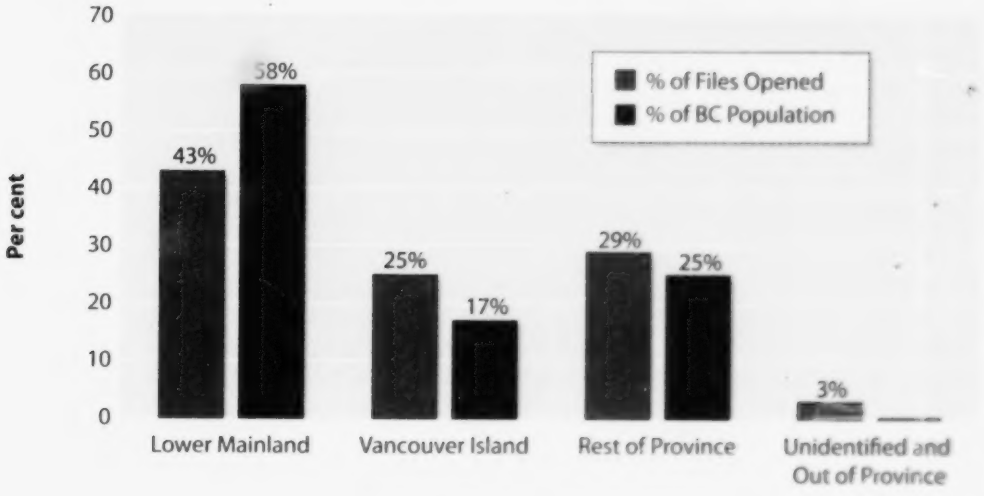
How Intakes Were Processed in 2006



Total Intakes: 6,438


Requests for help to the Office of the Ombudsman
Written requests by letter and Internet complaint form, attendance at mobile intake clinics
685 letters
372 web forms
171 mobile intake
Phone calls and people coming to the office in person
5,131 phone calls
79 walk-ins
Call Co-ordinators
Further assistance required – pass contact information to Complaints Analysts
Call Co-ordinator answers questions or makes referrals
Call Co-ordinator logs a request for information
1,622 requests for information were logged
Complaints Analysts
Collect information and open files
4,816 files were opened by the Complaints Analysts
File not closed at Intake
File closed at Intake
Sent to hold queue
Assigned to an Officer
Referral, enquiry, non-jurisdictional, etc.
Complaints Analyst processes and closes the file
2,692 files were processed and closed at intake
Hold Queue
79 files in queue at start
190 files sent to queue
253 files assigned from queue to an Officer
16 files closed from queue
0 files remaining in queue
Ombudsman Officers
Investigate complaints
2,187 cases were assigned to Ombudsman Officers

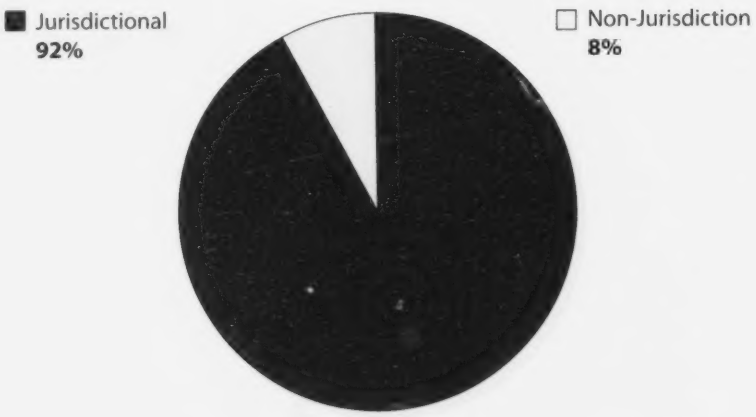
Jurisdictional Files Opened in 2006
Geographical Distribution of Files vs. Population



Breakdown of Files Opened in 2006 by Region

	Files Opened	Jurisdictional Files Opened
Lower Mainland	2,085	1,909
Vancouver Island	1,185	1,095
Rest of Province	1,386	1,291
Unidentified	29	21
Out of Province	131	117
Totals	4,816	4,433

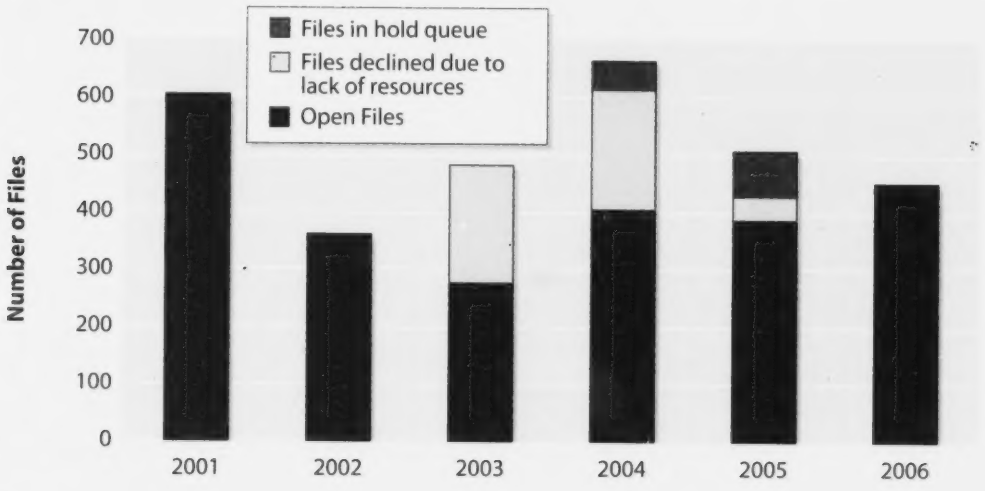
Files Opened in 2006
Jurisdictional vs. Non-Jurisdictional



Intakes in 2006

	Jurisdictional	Non-Jurisdictional	Totals
Requests for Information	825	797	**1,622**
Files Opened	4,433	383	**4,816**
Totals	**5,258**	**1,180**	**6,438**

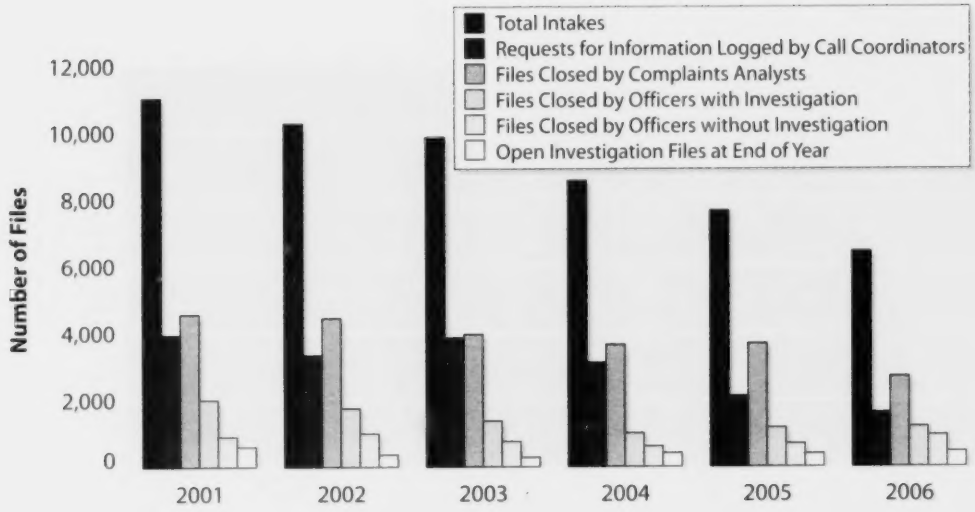
Opened and Deferred Files



Number of Files at the End of Each Year

	2001	2002	2003	2004	2005	2006
Open Files	605	361	278	405	387	452
Files in hold queue	0	0	0	50	79	0
Files declined due to lack of resources	0	0	206	210	42	0

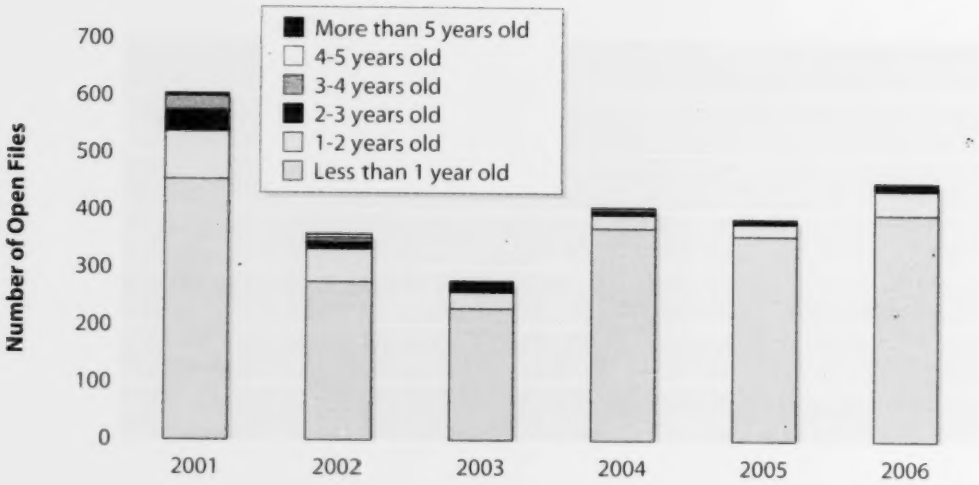
Office Case Load



Breakdown of Office Case Activity

	2001	2002	2003	2004	2005	2006
Open at the Beginning of the Year	**964**	**605**	**361**	**278**	**405**	**387**
(Data Correction – Deletion of Duplicate Files)			(1)	(2)	1	
Waiting in Hold Queue	-	-	-	-	**50**	**79**
Requests for Information - Jurisdictional	2,098	1,739	2,106	1,608	1,054	825
Requests for Information - Non Jurisdictional	1,852	1,602	1,756	1,512	1,062	797
Files Opened - Jurisdictional	6,597	6,405	5,494	4,791	4,840	4,243
Files Opened - Non Jurisdictional	501	535	499	465	506	383
Files Opened to the Hold Queue	-	-	-	187	200	190
Total Intakes	**11,048**	**10,281**	**9,855**	**8,563**	**7,662**	**6,438**
Requests for Information logged by Call Coordinators	3,950	3,341	3,862	3,120	2,116	1,622
Files Closed by Complaints Analysts	4,566	4,453	3,962	3,652	3,683	2,695
Total Closed at Intake	**8,516**	**7,794**	**7,821**	**6,772**	**5,799**	**4,317**
Files Closed by Officers with Investigation	2,009	1,751	1,370	1,007	1,165	1,197
Files Closed by Officers without Investigation	907	1,000	757	612	690	946
Total Closed by Officers	**2,916**	**2,751**	**2,127**	**1,619**	**1,855**	**2,143**
Files Reopened	**25**	20	**14**	**7**	**2**	**8**
Open at the End of the Year	**605**	**361**	**278**	**405**	**387**	**452**
Waiting in Hold Queue	-	-	-	**50**	**79**	**0**

Age Distribution of Open Files

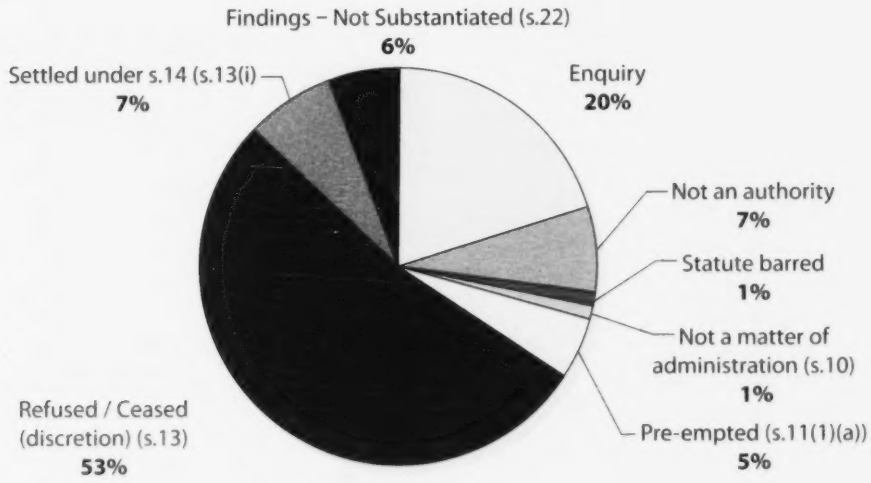


Number of files open at the end of each year

	2001	%	2002	%	2003	%	2004	%	2005	%	2006	%
Less than 1 year old	455	75%	276	76%	230	83%	371	91%	358	92%	396	88%
1-2 years old	84		58		29		24		22		43	
2-3 years old	37		12		14		4		4		10	
3-4 years old	25	25%	8	24%	3	17%	4	9%	2	8%	3	12%
4-5 years old	1		5		1		4		1		0	
More than 5 years old	3		1		1		1		1		0	
Total open files	**605**		**361**		**278**		**405**		**387**		**452**	

* Performance Measure introduced September 2002 set an objective to have less than 20% of open files more than 1 year old as of 2002 and less than 15% more than 1 year old as of 2003 and less than 10% more than 1 year old as of 2004.

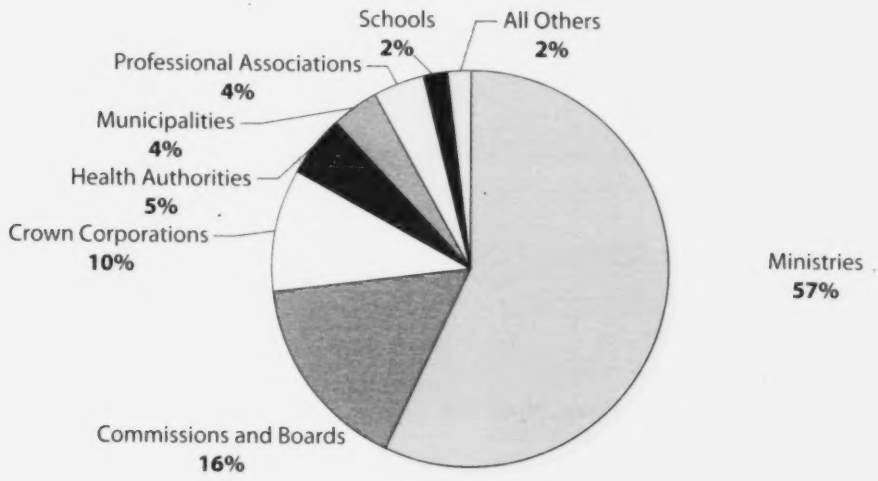
How Files were Closed in 2006



Closing Status	No Investigation	Investigation	Total Matters Closed*
Enquiry	1,023	n/a	1,023
Not an authority	366	n/a	366
Statute barred	33	n/a	33
Not a matter of administration (s.10)	52	2	54
Pre-empted (s.11(1)(a))	216	14	230
Refused/Ceased (discretion) (s.13)	1,951	722	2,673
s.13(a)	1	0	1
s.13(b)	5	0	5
s.13(c)	1,175	28	1,203
s.13(d)	0	4	4
s.13(e)	459	630	1,089
s.13(f)	27	12	39
s.13(g)	121	19	140
s.13(h)	163	29	192
Settled under s.14 (s.13(i))	n/a	352	352
Findings - substantiated (s.23)	n/a	0	0
Findings - not substantiated (s.22)	n/a	309	309
Total closings	**3,641**	**1,399**	**5,040**
Total files closed*	**3,641**	**1,197**	**4,838**

* For investigation files, the number of files closed is no longer the same as the number of closings. Starting July 2003, we began closing each issue or matter of administration identified on a file, separately. Each investigation file has one or many matters of administration. Therefore the number of matters closed during a period may be greater than the number of files closed during that period. A file is considered closed when all of its matters of administration are closed.

Files Closed in 2006
Authority Distribution



Ministries (57%)	
Ministry of Employment and Income Assistance	33%
Ministry of Children and Family Development	21%
Ministry of Public Safety and Solicitor General	17%
Ministry of Health	6%
Ministry of Attorney General	6%
Ministry of Forests and Range	5%
Ministry of Small Business and Revenue	3%
Ministry of Transportation	2%
Ministry of Advanced Education	2%
Ministry of Environment	2%
Ministry of Labour and Citizens' Services	1%
Other Ministries	2%

Commissions and Boards (16%)	
Workers' Compensation Board	45%
Workers' Compensation Appeal Tribunal	10%
BC Housing	9%
Public Guardian and Trustee	7%
Human Rights Tribunal	3%
Employment and Assistance Appeal Tribunal	3%
Labour Relations Board	2%
Emergency Health Services Commission	2%
Provincial Agricultural Land Commission	2%
Business Practices and Consumer Protection Authority	2%
Land Title Survey Authority	2%
BC Utilities Commission	2%
Real Estate Council	1%
Pension Corporation	1%
Other Commissions and Boards	9%

Crown Corporations (10%)	
ICBC	57%
BC Hydro and Power Authority	25%
BC Lottery Corporation	9%
BC Assessment	2%
Other Crown Corporations	5%

Health Authorities (5%)	
Vancouver Coastal Health Authority	24%
Vancouver Island Health Authority	21%
Fraser Health Authority	20%
Interior Health Authority	16%
Provincial Health Services Authority	14%
Northern Health Authority	5%

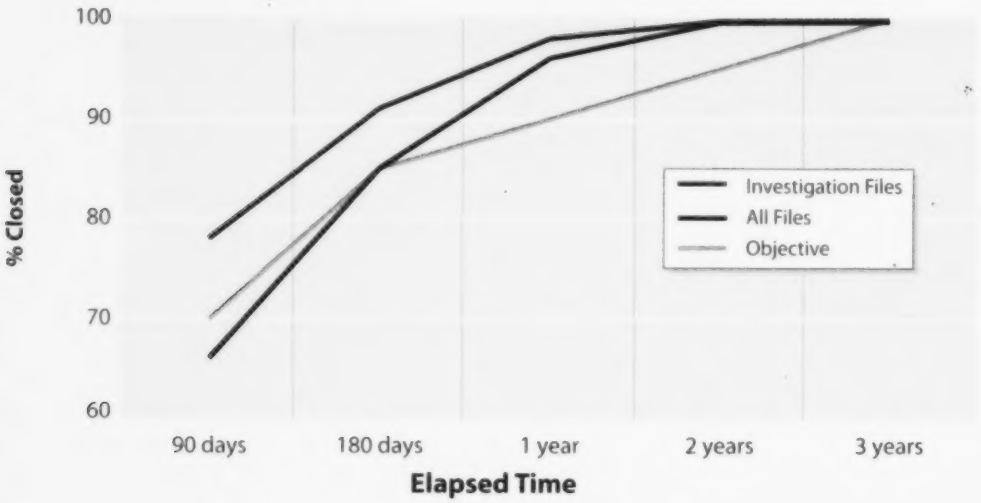
Municipalities (4%)	
City of Vancouver	8%
District of Sechelt	7%
City of Nanaimo	5%
City of Coquitlam	5%
City of Surrey	4%
District of North Vancouver	4%
City of Richmond	4%
Other Municipalities	63%

Professional Associations (4%)	
College of Physicians and Surgeons of BC	44%
Law Society of British Columbia	29%
College of Dental Surgeons of BC	5%
Other Professional Associations	22%

Schools and School Boards (2%)	
School District 08 (Kootenay Lake)	6%
School District 39 (Vancouver)	6%
School District 79 (Cowichan Valley)	6%
Other School Districts	82%

All Others (2%)	
Regional Districts	47%
Universities	21%
Colleges	21%
Improvement Districts	5%
Islands Trust	3%
Libraries	3%

Files Closed in 2006
Percentage of Files Closed Within Elapsed Time



Files Closed

	Closed within 90 days		Within 180 days		Within 1 year		Within 2 years		Within 3 years	
	Files	%	Files	%	Files	%	Files	%	Files	%
Investigation Files	789	66%	1022	85%	1154	96%	1192	99.6%	1194	99.7%
All Files	1662	78%	1950	91%	2099	98%	2138	99.8%	2140	99.9%
Performance Objective*		70%		85%		90%		95%		100%

* These Performance Objectives apply to the Investigative teams, so files closed at Intake are not included in these numbers.

2006 Authority Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*

	Files Open as of 01 Jan 2006	Requests for information in 2006	Closed in 2006								Files Open as of 31 Dec 2006
			Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings: Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
Ministries	**213**	**391**	**403**	**207**	**1673**	**229**	**173**	**0**	**2685**	**2564**	**195**
Advanced Education	7	2	9	1	16	12	7	0	45	40	6
Agriculture and Lands	2	0	4	0	9	3	2	0	18	18	2
Attorney General	11	12	32	6	98	6	9	0	151	146	10
Children and Family Development	56	8	74	7	442	31	36	0	590	547	45
Community Services	2	2	4	1	6	3	2	0	16	15	6
Economic Development	0	0	0	1	0	0	0	0	1	1	0
Education	0	0	3	0	3	1	0	0	7	7	0
Employment and Income Assistance	48	21	97	171	486	75	46	0	875	829	32
Energy, Mines and Petroleum Resources	2	0	2	0	5	1	0	0	8	8	4
Environment	7	2	10	2	23	4	1	0	40	40	14
Finance	0	1	5	1	4	1	2	0	13	13	1
Forests and Range	10	250	59	3	59	13	9	0	143	141	18
Health	26	7	30	2	91	26	15	0	164	159	22
Labour and Citizens' Services	1	54	13	0	13	5	5	0	36	33	1
Public Safety and Solicitor General	17	24	44	7	348	30	23	0	452	447	16
Small Business and Revenue	11	5	10	4	34	16	10	0	74	70	14
Tourism, Sport and the Arts	0	1	1	0	1	0	0	0	2	2	0
Transportation	13	2	6	1	35	2	6	0	50	48	4
Commissions and Boards	**83**	**326**	**273**	**73**	**279**	**57**	**48**	**0**	**730**	**694**	**66**
BC Board of Parole	0	0	0	0	2	0	0	0	2	2	0
BC Housing	1	2	6	0	56	4	2	0	68	64	4
BC Review Board	0	0	0	0	1	0	0	0	1	1	0
BC Safety Authority	3	0	0	0	3	1	0	0	4	4	0
BC Securities Commission	0	0	3	1	0	0	1	0	5	5	0
BC Utilities Commission	0	30	5	0	6	0	0	0	11	11	0
Business Practices and Consumer Protection Authority	4	247	4	0	8	0	1	0	13	12	0
Columbia Basin Trust	0	0	0	0	1	0	0	0	1	1	0
Coroners Service	1	0	3	0	0	0	0	0	3	3	3
Emergency Health Services Commission	3	0	5	0	8	0	3	0	16	15	4
Employment Standards Tribunal	1	0	0	0	4	0	0	0	4	4	0
Employment and Assistance Appeal Tribunal	5	0	1	0	19	1	0	0	21	21	2
Financial Institutions Commission	0	4	5	0	2	0	0	0	7	7	0
Financial Services Tribunal	1	0	0	0	0	1	1	0	2	1	0
Human Rights Tribunal	2	5	8	0	12	0	2	0	22	22	4
Industry Training Authority	0	0	1	0	1	0	0	0	2	2	0
Insurance Council of BC	0	3	1	0	0	0	0	0	1	1	0
Labour Relations Board	0	9	12	1	2	1	0	0	16	16	0
Land Title and Survey Authority	1	1	4	0	6	0	1	0	11	11	1

2006 Authority Statistics Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Jan 2006	Requests for Information in 2006	Closed in 2006								Files Open as of 31 Dec 2006
			Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings: Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
Mediation and Arbitration Board	0	0	0	1	0	0	0	0	1	1	0
Motor Dealer Customer Compensation Fund Board	2	0	0	0	4	1	0	0	5	4	0
Municipal Pension Board of Trustees	0	1	0	0	1	0	0	0	1	1	1
Pension Corporation	1	1	5	0	4	0	0	0	9	9	1
Premier's Office	0	0	2	1	0	0	0	0	3	3	0
Private Career Training Institutions Agency	1	11	3	0	3	0	1	0	7	7	1
Property Assessment Appeal Board	1	0	0	0	1	0	0	0	1	1	1
Provincial Agricultural Land Commission	1	0	7	0	5	1	0	0	13	13	0
Provincial Capital Commission	0	0	0	0	1	0	0	0	1	1	0
Public Guardian and Trustee	7	3	14	0	33	5	9	0	61	51	5
Public Service Pension Board of Trustees	0	0	0	0	1	0	0	0	1	1	0
Real Estate Council	1	6	5	1	1	0	3	0	10	10	1
TransLink	0	0	1	0	1	3	0	0	5	5	1
Workers' Compensation Appeal Tribunal	12	1	33	10	25	0	5	0	73	71	10
Workers' Compensation Board	35	2	145	58	68	39	19	0	329	313	27
Crown Corporations	**34**	**41**	**86**	**11**	**310**	**26**	**30**	**0**	**463**	**454**	**35**
BC Assessment	1	0	1	2	6	1	1	0	11	11	0
BC Buildings Corporation	0	0	0	0	1	0	0	0	1	1	0
BC Hydro and Power Authority	4	3	9	2	82	15	10	0	118	115	2
BC Lottery Corporation	3	8	38	1	3	1	0	0	43	42	17
BC Rail	0	0	2	0	0	0	1	0	3	3	0
BC Transit	1	0	2	0	2	1	1	0	6	6	0
Community Living BC	0	0	2	0	4	2	0	0	8	8	5
Homeowner Protection Office	1	0	1	0	5	0	0	0	6	6	0
ICBC	21	29	31	6	206	6	17	0	266	261	9
Land and Water British Columbia Inc.	2	0	0	0	1	0	0	0	1	1	1
Oil and Gas Commission	1	0	0	0	0	0	0	0	0	0	1
Tourism BC	0	1	0	0	0	0	0	0	0	0	0
Municipalities	**50**	**4**	**64**	**6**	**109**	**8**	**5**	**0**	**192**	**188**	**66**
Resort Municipalities											
Resort Municipality of Whistler	0	0	1	0	0	0	0	0	1	1	1
Cities											
Abbotsford	1	0	2	0	3	0	0	0	5	5	5
Armstrong	0	0	0	0	0	0	0	0	0	0	1
Burnaby	0	0	1	1	1	0	0	0	3	3	0
Campbell River	0	0	0	0	1	0	0	0	1	1	0
Castlegar	1	0	0	0	1	0	0	0	1	1	0
Chilliwack	1	0	0	0	1	2	0	0	3	3	0

2006 Authority Statistics Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Jan-2006	Requests for Information in 2006	Closed in 2006								Files Open as of 31-Dec-2006
			Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
Colwood	1	0	2	0	0	0	0	0	2	2	1
Coquitlam	6	0	0	1	7	0	1	0	9	9	2
Courtenay	0	0	1	0	0	0	0	0	1	1	1
Cranbrook	0	0	0	0	0	0	0	0	0	0	1
Dawson Creek	1	0	0	0	0	0	0	0	0	0	1
Fernie	0	0	0	0	1	0	0	0	1	1	1
Fort St. John	0	0	3	0	0	0	0	0	3	3	1
Greenwood	0	0	0	0	0	0	0	0	0	0	1
Kamloops	1	0	1	0	3	1	0	0	5	5	1
Kelowna	0	0	1	0	1	0	0	0	2	2	0
Langford	0	0	0	0	1	0	0	0	1	1	1
Merritt	0	0	0	0	1	0	0	0	1	1	0
Nanaimo	1	0	2	1	7	0	0	0	10	10	2
Nelson	1	0	0	0	1	0	0	0	1	1	1
New Westminster	0	0	0	0	3	0	0	0	3	3	0
Parksville	1	0	0	0	2	0	0	0	2	2	0
Penticton	1	0	1	0	2	0	0	0	3	3	0
Port Alberni	0	0	1	0	0	0	0	0	1	1	0
Port Moody	0	0	1	0	1	0	0	0	2	2	0
Powell River	1	0	2	0	1	0	0	0	3	3	3
Prince George	0	0	0	0	1	0	0	0	1	1	1
Quesnel	0	0	0	0	0	0	0	0	0	0	1
Revelstoke	0	0	0	0	0	0	0	0	0	0	1
Richmond	4	0	3	0	3	1	0	0	7	7	2
Rossland	1	0	0	0	1	0	0	0	1	1	0
Salmon Arm	0	0	1	0	0	0	0	0	1	1	0
Surrey	3	0	2	0	5	2	0	0	9	8	0
Trail	2	1	0	0	2	0	0	0	2	2	0
Vancouver	3	0	5	0	10	0	0	0	15	15	9
Vernon	0	0	3	0	0	0	0	0	3	3	0
Victoria	0	0	0	0	2	1	0	0	3	3	0
White Rock	0	1	0	1	0	0	0	0	1	1	0
Williams Lake	0	1	0	0	1	0	0	0	1	1	1
Corporation of Delta	2	0	0	0	1	0	0	0	1	1	5
Districts											
100 Mile House	0	0	1	0	0	0	0	0	1	1	0
Central Saanich	0	0	1	0	2	0	0	0	3	3	2
Chetwynd	0	0	0	0	0	0	0	0	0	0	1
Coldstream	0	0	0	0	0	0	0	0	0	0	1
Hope	2	0	0	0	2	0	0	0	2	2	0

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Lake Country	0	0	0	0	1	0	0	0	1	1	1
Maple Ridge	2	0	0	0	5	0	0	0	5	5	1
Metchosin	1	0	1	0	1	0	0	0	2	2	0
Mission	0	1	0	0	0	0	0	0	0	0	0
North Cowichan	0	0	1	0	0	0	0	0	1	1	0
North Saanich	1	0	0	0	1	0	0	0	1	1	0
North Vancouver	1	0	2	1	5	0	0	0	8	8	1
Peachland	0	0	0	0	1	0	0	0	1	1	0
Pitt Meadows	0	0	1	0	0	0	0	0	1	1	0
Saanich	0	0	0	0	1	0	0	0	1	1	3
Sechelt	1	0	8	0	4	0	2	0	14	13	2
Sooke	0	0	0	0	1	0	0	0	1	1	2
Sparwood	1	0	0	0	0	0	1	0	1	1	0
Squamish	1	0	2	0	3	0	0	0	5	5	1
Summerland	1	0	1	0	0	1	0	0	2	2	2
Taylor	1	0	0	0	3	0	0	0	3	1	0
Tumbler Ridge	1	0	2	0	2	0	0	0	4	4	1
West Vancouver	0	0	2	0	1	0	0	0	3	3	0
Towns											
Comox	0	0	0	0	1	0	0	0	1	1	0
Creston	1	0	0	0	1	0	0	0	1	1	0
Osoyoos	0	0	1	0	0	0	1	0	2	2	1
View Royal	0	0	1	0	0	0	0	0	1	1	0
Townships											
Langley	0	0	0	0	1	0	0	0	1	1	0
Spallumcheen	1	0	0	0	1	0	0	0	1	1	0
Villages											
Anmore	1	0	0	0	2	0	0	0	2	2	1
Chase	0	0	1	0	0	0	0	0	1	1	0
Granisle	0	0	1	0	0	0	0	0	1	1	0
Kaslo	0	0	0	0	1	0	0	0	1	1	0
Midway	0	0	0	0	0	0	0	0	0	0	1
Montrose	0	0	1	0	1	0	0	0	2	2	1
Nakusp	0	0	0	1	0	0	0	0	1	1	0
Pouce Coupe	0	0	1	0	0	0	0	0	1	1	0
Sayward	1	0	2	0	2	0	0	0	4	4	0
Slocan	0	0	1	0	1	0	0	0	2	2	0
Telkwa	1	0	0	0	1	0	0	0	1	1	0
Regional Districts	**9**	**0**	**10**	**2**	**29**	**3**	**1**	**0**	**45**	**44**	**13**
Capital	1	0	1	0	9	0	0	0	10	9	3

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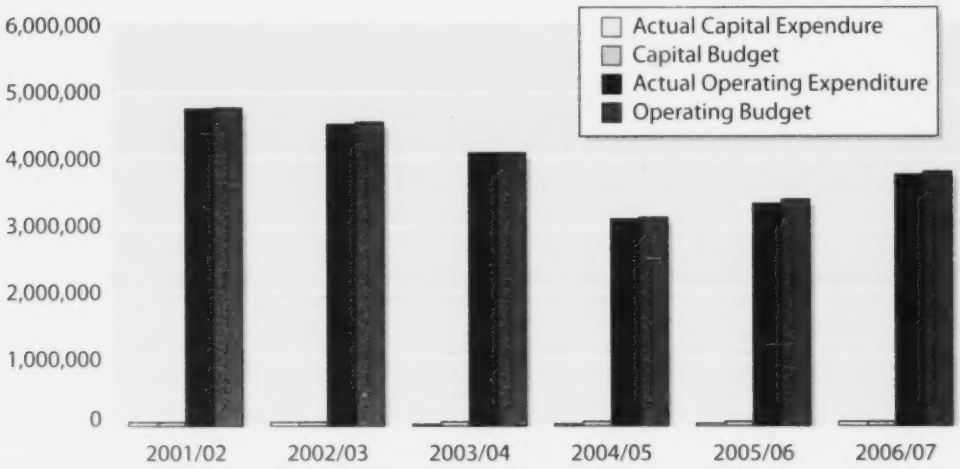
			Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
Cariboo	2	0	0	0	5	0	0	0	5	5	0
Central Coast	1	0	0	0	1	0	0	0	1	1	0
Central Kootenay	2	0	0	0	4	0	0	0	4	4	1
Central Okanagan	0	0	1	0	0	0	0	0	1	1	1
Columbia-Shuswap	0	0	2	1	3	0	0	0	6	6	1
Comox-Strathcona	0	0	1	0	1	1	0	0	3	3	0
Cowichan Valley	0	0	0	0	1	0	0	0	1	1	1
East Kootenay	0	0	1	0	1	0	0	0	2	2	0
Fraser Valley	0	0	1	0	0	0	0	0	1	1	0
Greater Vancouver	0	0	0	0	0	0	0	0	0	0	1
Kitimat-Stikine	0	0	0	0	0	0	0	0	0	0	1
Kootenay Boundary	0	0	0	0	2	0	0	0	2	2	0
Nanaimo	0	0	1	1	0	0	0	0	2	2	1
North Okanagan	1	0	0	0	0	0	1	0	1	1	0
Okanagan-Similkameen	0	0	0	0	0	0	0	0	0	0	2
Peace River	1	0	0	0	0	1	0	0	1	1	0
Skeena-Queen Charlotte	0	0	0	0	0	0	0	0	0	0	1
Sunshine Coast	1	0	2	0	1	1	0	0	4	4	0
Thompson-Nicola	0	0	0	0	1	0	0	0	1	1	0
Islands Trust	**0**	**1**	**1**	**0**	**2**	**0**	**0**	**0**	**3**	**3**	**0**
Improvement Districts	**1**	**0**	**1**	**0**	**4**	**0**	**0**	**0**	**5**	**5**	**4**
Beaver Creek Improvement District	0	0	0	0	1	0	0	0	1	1	0
Campbell-Bennett Bay Improvement District	1	0	0	0	1	0	0	0	1	1	0
Cherry Creek Waterworks District	0	0	0	0	1	0	0	0	1	1	0
Clearbrook Waterworks District	0	0	1	0	0	0	0	0	1	1	0
Cobble Hill Improvement District	0	0	0	0	0	0	0	0	0	0	1
North Cedar Improvement District	0	0	0	0	1	0	0	0	1	1	0
Ootischenia Improvement District	0	0	0	0	0	0	0	0	0	0	1
Sechelt Fire Protection District	0	0	0	0	0	0	0	0	0	0	1
Wynndel Irrigation District	0	0	0	0	0	0	0	0	0	0	1
Libraries	**1**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**2**	**2**	**1**
Cariboo Library Network	0	0	0	0	1	0	0	0	1	1	1
Fraser Valley Regional Library	1	0	0	0	0	0	1	0	1	1	0
Parks Boards	**1**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**
Cultus Lake Park Board	1	0	0	0	0	0	0	0	0	0	1
Schools and School Boards	**15**	**1**	**15**	**0**	**49**	**8**	**18**	**0**	**90**	**79**	**21**
Southeast Kootenay (5)	0	0	0	0	1	0	0	0	1	1	0
Kootenay Lake (8)	0	0	2	0	3	0	0	0	5	5	2
Revelstoke (19)	0	0	0	0	2	0	0	0	2	2	0
Kootenay-Columbia (20)	0	0	0	0	1	0	0	0	1	1	1

2006 Authority Statistics Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Jan-2006	Requests for Information in 2006	Closed in 2006								
			Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Discontinued (s.23)	[illegible]	[illegible]	[illegible]
Vernon (22)	0	0	0	0	2	0	0	0	2	2	0
Central Okanagan (23)	0	0	1	0	0	0	0	0	1	1	0
Cariboo-Chilcotin (27)	1	0	1	0	2	2	0	0	5	1	1
Quesnel (28)	0	0	0	0	1	0	0	0	1	1	0
Chilliwack (33)	0	0	0	0	2	1	0	0	3	3	0
Abbotsford (34)	0	0	0	0	0	0	0	0	0	0	1
Langley (35)	2	0	0	0	2	1	1	0	4	4	0
Surrey (36)	0	0	1	0	2	0	0	0	3	3	2
Delta (37)	0	0	0	0	1	0	0	0	1	1	0
Richmond (38)	2	0	0	0	1	0	1	0	2	2	0
Vancouver (39)	1	0	1	0	4	0	2	0	7	5	0
New Westminster (40)	0	0	0	0	1	0	0	0	1	1	0
Burnaby (41)	0	0	0	0	1	0	1	0	2	2	2
Coquitlam (43)	0	0	0	0	2	0	0	0	2	2	0
North Vancouver (44)	0	0	2	0	0	0	2	0	4	1	0
West Vancouver (45)	0	0	1	0	0	0	0	0	1	1	0
Howe Sound (48)	0	0	0	0	0	0	0	0	0	0	1
Central Coast (49)	1	0	0	0	2	0	0	0	2	2	0
Prince Rupert (52)	0	0	0	0	1	1	0	0	2	1	0
Bulkley Valley (54)	0	0	0	0	1	0	0	0	1	1	0
Prince George (57)	0	0	1	0	0	0	0	0	1	1	0
Nicola-Similkameen (58)	1	0	0	0	2	0	0	0	2	2	0
Peace River North (60)	0	0	0	0	1	0	0	0	1	1	0
Greater Victoria (61)	1	0	2	0	0	1	1	0	4	4	2
Sooke (62)	0	0	0	0	1	0	0	0	1	1	0
Saanich (63)	1	0	0	0	0	1	0	0	1	1	0
Gulf Islands (64)	1	0	0	0	2	0	0	0	2	2	1
Nanaimo-Ladysmith (68)	1	0	0	0	1	0	0	0	1	1	2
Comox Valley (71)	0	1	1	0	1	0	2	0	4	4	0
Campbell River (72)	0	0	0	0	0	1	0	0	1	1	0
Kamloops/Thompson (73)	0	0	0	0	1	0	0	0	1	1	1
Gold Trail (74)	0	0	1	0	1	0	0	0	2	2	0
Mission (75)	0	0	0	0	0	0	0	0	0	0	1
Fraser-Cascade (78)	0	0	0	0	0	0	0	0	0	0	1
Cowichan Valley (79)	0	0	1	0	4	0	0	0	5	5	0
Coast Mountains (82)	0	0	0	0	2	0	0	0	2	2	0
North Okanagan-Shuswap (83)	2	0	0	0	0	0	8	0	8	2	0
Stikine (87)	1	0	0	0	0	0	0	0	0	0	2
Nisga'a (92)	0	0	0	0	1	0	0	0	1	1	0
Conseil Scolaire Francophone (93)	0	0	0	0	0	0	0	0	0	0	1

2006 Authority Statistics Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Jan-2006	Requests for Information in 2006	Closed in 2006								Files Open as of 31-Dec-2006
			Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
Universities	**1**	**1**	**7**	**1**	**8**	**2**	**2**	**0**	**20**	**20**	**5**
Simon Fraser University	0	0	1	0	1	0	0	0	2	2	1
Thompson Rivers University	0	1	1	0	1	0	1	0	3	3	0
University of British Columbia	1	0	3	0	3	1	1	0	8	8	4
University of Northern BC	0	0	2	1	1	1	0	0	5	5	0
University of Victoria	0	0	0	0	2	0	0	0	2	2	0
Colleges	**5**	**0**	**3**	**2**	**13**	**2**	**1**	**0**	**21**	**20**	**3**
Capilano College	1	0	0	0	0	0	0	0	0	0	1
College of New Caledonia	0	0	1	1	2	0	0	0	4	4	0
College of the Rockies	1	0	0	0	1	0	1	0	2	2	0
Douglas College	0	0	0	0	2	0	0	0	2	2	1
Emily Carr Institute of Art and Design	0	0	1	0	1	0	0	0	2	2	0
Justice Institute of BC	1	0	0	1	1	0	0	0	2	2	0
Kwantlen University College	1	0	0	0	0	2	0	0	2	1	0
Malaspina University College	1	0	0	0	3	0	0	0	3	3	0
North Island College	0	0	1	0	1	0	0	0	2	2	0
Northern Lights College	0	0	0	0	1	0	0	0	1	1	0
Vancouver Community College	0	0	0	0	1	0	0	0	1	1	1
Professional Associations	**28**	**56**	**91**	**3**	**60**	**4**	**10**	**0**	**168**	**164**	**26**
Architectural Institute of BC	1	0	0	0	1	0	0	0	1	1	0
Assoc. of Professional Engineers and Geoscientists	0	0	1	0	1	0	0	0	2	2	0
Association of BC Land Surveyors	0	0	0	0	0	0	0	0	0	0	1
BC Veterinary Medical Association	0	1	0	0	3	0	0	0	3	3	0
Certified General Accountants Association of BC	0	0	1	0	0	0	0	0	1	1	0
Certified Management Accountants Association of BC	0	0	1	0	0	0	2	0	3	2	0
College of Dental Surgeons of BC	2	7	5	0	3	1	0	0	9	8	6
College of Denturists of BC	0	0	1	0	1	0	0	0	2	2	0
College of Massage Therapists of BC	1	0	0	0	0	0	1	0	1	1	0
College of Naturopathic Physicians of BC	0	0	0	0	0	0	0	0	0	0	1
College of Opticians of BC	1	0	1	0	0	1	0	0	2	2	0
College of Pharmacists of BC	0	0	2	0	0	0	0	0	2	2	0
College of Physical Therapists of BC	0	1	1	1	0	0	0	0	2	2	0
College of Physicians and Surgeons of BC	6	23	55	0	15	0	2	0	72	72	5
College of Psychologists of BC	2	0	2	0	2	0	0	0	4	4	3
College of Registered Nurses of British Columbia	0	0	1	0	1	0	0	0	2	2	0
College of Teachers	1	0	0	0	3	1	0	0	4	4	1

2006 Authority Statistics Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Jan-2006	Requests for Information in 2006	Closed in 2006								Files Open as of 31-Dec-2006
			Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed*	Total Files Closed*	
College of Traditional Chinese Medicine and Acupuncturists of BC	1	0	1	1	2	0	0	0	4	4	0
Law Society of British Columbia	13	22	17	0	27	1	5	0	50	48	9
Society of Notaries Public	0	2	2	1	1	0	0	0	4	4	0
Health Authorities	**23**	**4**	**60**	**3**	**135**	**13**	**21**	**0**	**232**	**217**	**15**
Fraser	6	0	7	0	38	1	3	0	49	44	4
Interior	3	0	12	1	19	2	4	0	38	35	3
Northern	1	0	3	0	8	1	0	0	12	12	2
Vancouver Coastal	7	2	17	1	26	4	5	0	53	51	2
Vancouver Island	6	2	11	0	25	5	6	0	47	45	3
Provincial Health Services	0	0	10	1	19	0	3	0	33	30	1
Jurisdictional Totals	**464**	**825**	**1,014**	**308**	**2,671**	**352**	**310**	**0**	**4,656**	**4,454**	**451**
Non-Jurisdictional Totals	**2**	**797**	**9**	**375**	**0**	**0**	**0**	**0**	**384**	**384**	**1**
Grand Totals for 2006	**466**	**1,622**	**1,023**	**683**	**2,671**	**352**	**310**	**0**	**5,040**	**4,838**	**452**

* For Investigation files, the number of files closed is no longer the same as the number of closings. Starting July, 2003, we began closing each issue, or matter of administration identified on a file, separately. Each Investigation file has one or many matters of administration. Therefore the number of matters closed during a period may be greater than the number of files closed during that period. A file is considered closed when all of its matters of administration are closed.



Budget Summary

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07
Actual Capital Expenditure	59,000	58,000	27,000	30,500	35,800	63,000
Capital Budget	59,000	59,000	62,000	65,000	65,000	65,000
Actual Operating Expenditure	4,750,600	4,516,000	4,086,000	3,093,000	3,326,000	3,761,000
Operating Budget	4,765,000	4,548,000	4,086,000	3,118,000	3,388,000	3,805,000
FTEs	**50**	**50**	**38**	**30**	**34**	**37**

Notes: The operating budget for 2003/04 includes $36,000 accessed from contingencies to assist with adjustments to leave liability.

The operating budget for 2004/05 includes $20,000 provided in Supplementary Estimates.

The operating budget for 2006/07 includes $69,000 provided subsequent to the initial estimates in relation to the general public service salary adjustment.

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Bruce Clarke
Bruce Edmundson
Bruce Ronayne
Carly Hyman
Carol Kemeny
Cary Chiu
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Christine Morris
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